



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19.08.2004
COM(2004) 568 final

2004/0190 (ACC)

Proposal for a

COUNCIL REGULATION

**adopting autonomous and transitional measures to open a Community tariff quota
for the import of live bovine animals originating in Switzerland**

(presented by the Commission)

EXPLANATORY MEMORANDUM

The bilateral trade concessions foreseen by the "Agreement between the European Community and the Swiss Confederation on trade in agricultural products" need to be adapted, in order to take into consideration the pre-existing preferential trade flows between Switzerland and the new Member States. The EU-Switzerland Summit of 19 May 2004 indeed agreed on "the principle that the trade flows in accordance with the preferences granted under the pre-existing bilateral arrangements between the new Member States and Switzerland should be mutually maintained with effect from the date of EU enlargement". Hence, there is the need for autonomous and transitory measures, until the entry into force of the corresponding amendments to this Agreement.

The agreed minutes initialled by the Parties on 18 May 2004 foresee in particular a community concession of live bovine animals that requires quota management procedures to be adopted in accordance with the provisions laid down in Article 32 of Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal. It is therefore proposed that the Council adopt the attached specific autonomous and transitional measures to open a Community tariff quota for the import of live bovine animals originating in Switzerland.

Proposal for a

COUNCIL REGULATION

adopting autonomous and transitional measures to open a Community tariff quota for the import of live bovine animals originating in Switzerland

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,¹

Whereas:

- (1) Following the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia, and Slovakia to the European Union, the European Community and the Swiss Confederation agreed at the bilateral Summit on 19 May 2004 on the principle that the trade flows in accordance with the preferences granted previously under the bilateral arrangements between the new Member States and Switzerland should be maintained after the enlargement of the European Union. Parties therefore agreed to proceed with the adaptation of tariff concessions within the framework of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products² (hereinafter called the "Agreement"), which entered into force on 1 June 2002. The adaptation of these concessions, which are listed in Annexes 1 and 2 of the Agreement, include notably the opening of a Community tariff quota for the import of live bovine animals of a weight exceeding 160 kg.
- (2) It has been agreed with the Swiss Confederation that there should be no trade discontinuity. The procedures for adopting bilaterally a decision to amend the Annexes 1 and 2 of the Agreement will not be completed immediately. In order to ensure that quota benefit is available until the entry into force of the said decision and for reasons of simplification, it is appropriate to open this tariff-quota concession on an autonomous and transitional basis.
- (3) Detailed rules for the implementation of this Regulation and, in particular, the provisions required for quota management should be adopted in accordance with the provisions laid down in Article 32 of Council Regulation (EC) No 1254/1999 of 17 May 1999 on the common organisation of the market in beef and veal³.

¹ OJ C [...] [...], p. [...]

² OJ L 114, 30.4.2002, p. 132.

³ OJ L 160, 26.6.1999, p. 21. Regulation as last amended by Regulation (EC) No 1782/2003 (OJ L 270, 21.10.2003, p. 1).

- (4) To be eligible for the benefit of these tariff quotas, products should originate in Switzerland in conformity with the rules referred to in Article 4 of the Agreement,

HAS ADOPTED THIS REGULATION:

Article 1

1. A duty-free Community tariff quota is hereby opened on an autonomous and transitional basis for the period from the date of the entry into force of this Regulation to 30 June 2005 for the import of 4 600 heads of any live bovine animal originating in Switzerland weighing more than 160 kg, falling within CN code 0102 90 41, 0102 90 49, 0102 90 51, 0102 90 59, 0102 90 61, 0102 90 69, 0102 90 71 or 0102 90 79.
2. The rules of origin applicable to the products referred to in the first paragraph shall be those provided for in Article 4 of the Agreement.

Article 2

The detailed rules for the implementation of this Regulation shall be adopted in accordance with the provisions laid down in Article 32 of Regulation (EC) No 1254/1999.

Article 3

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President

FICHE FINANCIÈRE

FICHE FINANCIÈRE			
1. LIGNE BUDGÉTAIRE: Recettes – chapitre 10 – droits agricoles		CRÉDITS (Budget 2004): 858,975 Mio EUR	
2. INTITULÉ DE LA MESURE: Règlement du Conseil arrêtant des mesures autonomes et transitoires en vue de l'ouverture d'un contingent tarifaire communautaire pour l'importation de bovins vivants originaires de Suisse			
3. BASE JURIDIQUE: Article 133 du traité			
4. OBJECTIFS DE LA MESURE: Accord entre la Communauté européenne et la Confédération suisse relatif aux échanges de produits agricoles			
5.	INCIDENCES FINANCIÈRES	PÉRIODE DE 12 MOIS (Mio EUR)	EXERCICE EN COURS 2004 (Mio EUR)
5.0	DÉPENSES A LA CHARGE – DU BUDGET DES CE (RESTITUTIONS/INTERVENTIONS) – DES BUDGETS NATIONAUX – D'AUTRES SECTEURS	p.m.	p.m.
5.1	RECETTES – RESSOURCES PROPRES DES CE (PRÉLÈVEMENTS/DROITS DE DOUANE) – SUR LE PLAN NATIONAL	–2,65	–1,32
5.0.1	PRÉVISIONS DES DÉPENSES		
5.1.1	PRÉVISIONS DES RECETTES		
5.2 MODE DE CALCUL: –			
6.0 FINANCEMENT POSSIBLE PAR CRÉDITS INSCRITS AU CHAPITRE CONCERNÉ DU BUDGET EN COURS D'EXÉCUTION			OUI / NON
6.1 FINANCEMENT POSSIBLE PAR VIREMENT ENTRE CHAPITRES DU BUDGET EN COURS D'EXÉCUTION			OUI / NON
6.2 NÉCESSITÉ D'UN BUDGET SUPPLÉMENTAIRE			OUI / NON
6.3 CRÉDITS A INSCRIRE DANS LES BUDGETS FUTURS			OUI / NON
OBSERVATIONS: <u>Recettes</u> : Perte en 2004 et 2005 estimée à 2,65 Mio EUR (avant déduction des frais de perception) par an sur les importations de 4 600 têtes de bovins vivants (avec entrée en vigueur le 1/7/2004–30/6/2005).			