



COMMISSION OF THE EUROPEAN COMMUNITIES

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2005/0116 (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 Council adopted on 25 October 2004 an autonomous and transitional measure for the import up to 30 June 2005 of 4 600 heads of live bovine animals of a weight exceeding 160 kg originating in Switzerland, pending completion by the European Community and the Swiss Confederation of their respective procedures for adapting bilateral trade concessions in the "Agreement between the European Community and the Swiss Confederation on trade in agricultural products". The EC finalised its procedures when the Council adopted on 25 October the common position on the draft decision of the Joint Committee on Agriculture, allowing for the corresponding modification of annexes 1 and 2 of the "Agreement between the European Community and the Swiss Confederation on trade in agricultural products". However, Switzerland has not finalised such procedures as of June 2005, as earlier announced, but has confirmed the extension of its corresponding autonomous measures and that its internal procedure should be finalised before the end of 2005.

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 until 31 December 2005.

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,

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 products¹ (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. Parties have put in place autonomous measures, open-ended in the Swiss Confederation and until 30 June 2005 in the European Community as regards imports of live bovine animals. However, the procedures for adopting bilaterally a decision to amend the Annexes 1 and 2 of the Agreement are not yet completed in the Swiss Confederation. In order to ensure that quota benefit is available until the entry into force of the said decision by the end of 2005, it is appropriate to open, on an autonomous and transitional basis, another tariff-quota concession from 1 July to 31 December 2005 under the same conditions as those foreseen by Council Regulation (EC) No 1922/2004².

¹ OJ L 114, 30.4.2002, p. 132.

² OJ L 331, 5.11.2004, p. 7.

- (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.
- (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 1 July 2005 to 31 December 2005 for the import of 2 300 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 paragraph 1 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 [1 July 2005].

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

Done at Brussels,

*For the Council
The President*

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).

**LEGISLATIVE FINANCIAL STATEMENT FOR PROPOSALS HAVING A
BUDGETARY IMPACT EXCLUSIVELY LIMITED TO THE REVENUE SIDE**

1. NAME OF THE PROPOSAL

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

2. BUDGET LINES

Chapter and Article: Revenue – Agricultural Duties – Chapter 10 – Article 100

Amount budgeted for the year concerned: **819 450 Mio€**.

3. FINANCIAL IMPACT

- Proposal has no financial implications
- Proposal has no financial impact on expenditure but has a financial impact on revenue – the effect is as follows:

(€ million to one decimal place)

Budget line	Revenue ⁴	6 month period, starting 01/07/2005	Year n
<i>Article 100 ...</i>	<i>Impact on own resources</i>	-1,325 Mio€ *	-1,325 Mio€
Article ...	<i>Impact on own resources</i>		

Situation following action					
	[n+1]	[n+2]	[n+3]	[n+4]	[n+5]
Article ...					
Article ...					

4. ANTI-FRAUD MEASURES

5. OTHER REMARKS

- * Loss in 2005 estimated at €1,325 Mio (before deduction of collection costs) for the six months from 1/7/2005 until 30/12/2005 on imports of 2 300 heads of live bovine animals.

⁴ Regarding traditional own resources (agricultural duties, sugar levies, customs duties) the amounts indicated must be net amounts, i.e. gross amounts after deduction of 25% of collection costs.