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(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2433/2000
of 17 October 2000**

establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with the Czech Republic

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) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part ⁽¹⁾, provides for certain concessions for certain agricultural products originating in the Czech Republic.
- (2) Improvements to the preferential agreements of the Europe Agreement with the Czech Republic were provided for in the Protocol adjusting trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part, to take account of the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the outcome of the Uruguay Round negotiations on agriculture including improvements to the existing preferential arrangements ⁽²⁾. The Council approved the abovementioned Protocol on behalf of the Community by Council Decision 98/707/EC ⁽³⁾.
- (3) In accordance with the Directives adopted by the Council on 30 March 1999, the Commission and the Czech Republic concluded on 4 May 2000 negotiations on a new Additional Protocol to the Europe Agreement.
- (4) The new Additional Protocol, which provides for additional agricultural concessions, will be based on Article 21(5) of the Europe Agreement, establishing that the Community and the Czech Republic are to examine in the Association Council, product by product and on an orderly and reciprocal basis, the possibility of granting each other further concessions.

- (5) A swift implementation of the adjustments forms an essential part of the results of the negotiations for the conclusion of a new Additional Protocol to the Europe Agreement with the Czech Republic.
- (6) It is therefore appropriate to provide for the adjustment, as an autonomous and transitional measure, of the agricultural concessions provided for in the Europe Agreement with the Czech Republic.
- (7) The Czech Republic will take all useful legislative provisions, on an autonomous and transitional basis, in order to enable a rapid and simultaneous implementation of the adaptation of the agricultural concessions of the Czech Republic provided for in the Europe Agreement.
- (8) The measures necessary for the implementation of this Regulation should be in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽⁴⁾.
- (9) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽⁵⁾ codified the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations,

HAS ADOPTED THIS REGULATION:

Article 1

1. The arrangements for import into the Community applicable to certain agricultural products originating in the Czech Republic as set out in Annexes A(a) and A(b) to this Regulation shall replace those set out in Annex XI to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Czech Republic, of the other part.

⁽¹⁾ OJ L 360, 31.12.1994, p. 2.

⁽²⁾ OJ L 341, 16.12.1998, p. 3.

⁽³⁾ OJ L 341, 16.12.1998, p. 1.

⁽⁴⁾ OJ L 184, 17.7.1999, p. 23.

⁽⁵⁾ OJ L 253, 11.10.1993, p. 1. Regulation at last amended by Regulation (EC) No 1662/1999 (OJ L 197, 29.7.1999, p. 25).

2. On the entry into force of the new Additional Protocol adjusting the Europe Agreement referred to in paragraph 1, the concessions provided for in that Protocol shall replace those referred to in Annexes A(a) and A(b) to this Regulation.

3. The Commission shall adopt detailed rules for the application of this Regulation in accordance with the procedure laid down in Article 3(2).

Article 2

1. Tariff quotas with an order number above 09.5100 shall be administered by the Commission in accordance with Article 308a, 308b and 308c of Regulation (EEC) No 2454/93.

2. Quantities of goods subject to tariff quotas and released for free circulation as from 1 July 2000 under the concessions provided for in Annex XI to the Europe Agreement in accordance with the provisions of Council Regulation (EC) No 3066/95⁽¹⁾ before the entry into force of this Regulation shall be fully counted against the quantities provided for in Annex A(b) to this Regulation.

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

Done at Luxembourg, 17 October 2000.

Article 3

1. The Commission shall be assisted by the Committee instituted by Article 23 of Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organisation of the market of cereals⁽²⁾ or, where appropriate, the Committee instituted by the relevant provisions of the other Regulations on the common organisation of agricultural markets, hereinafter referred to as the 'Committee'.

2. Where reference is made to this paragraph, the procedure laid down in Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its rules of procedure.

Article 4

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

It shall apply from 1 July 2000.

For the Council

The President

L. FABIOUS

⁽¹⁾ OJ L 328, 30.12.1995, p. 31. Regulation at last amended by Regulation (EC) No 2435/98 (OJ L 303, 13.11.1998, p. 1).

⁽²⁾ OJ L 181, 1.7.1992, p. 21.

ANNEX A(a)

Customs duties on imports applicable in the Community to products originating in the Czech Republic and listed below shall be abolished

CN code (1)	CN code (1)	CN code (1)	CN code (1)	CN code (1)
0101 20 10	0602 30 00	0709 90 50	0812 10 00	0910 91 90
0104 20 10	0602 40 10	0710 80 59	0812 90 40	0910 99 99
0106 00 10	0602 40 90	0711 10 00	0812 90 50	
0106 00 20	0602 90 10	0711 30 00	0812 90 60	1106 10 00
0205 00 11	0602 90 30	0711 90 10	0812 90 95	1106 30 90
0205 00 19	0602 90 41	0711 90 70	0813 10 00	
0205 00 90	0602 90 45	0713 50 00	0813 20 00	1208 10 00
0206 80 91	0602 90 49	0713 90 10	0813 30 00	1209 11 00
0206 90 91	0602 90 51	0713 90 90	0813 40 10	1209 19 00
0208 10 11	0602 90 59		0813 40 30	1209 21 00
0208 10 19	0602 90 70	0802 12 90	0813 40 95	1209 23 80
0208 20 00	0602 90 91	0802 21 00	0813 50 15	1209 29 50
0208 90 10	0602 90 99	0802 22 00	0813 50 19	1209 29 80
0208 90 50	0603 10 30	0802 31 00	0813 50 31	1209 30 00
0208 90 60	0604 10 90	0802 32 00	0813 50 39	1209 91 10
0208 90 80	0604 91 21	0802 40 00	0813 50 91	1209 91 90
0407 00 11	0604 91 29	0802 90 85	0813 50 99	1209 99 91
0407 00 19	0604 91 41	0806 20 11	0814 00 00	1209 99 99
0410 00 00	0604 91 49	0806 20 12		1211 90 30
0601 10 10	0604 91 90	0806 20 18	0901 12 00	1212 10 10
0601 10 20	0604 99 90	0806 20 91	0901 21 00	1212 10 99
0601 10 30		0806 20 92	0901 22 00	1214 90 10
0601 10 40	0701 10 00	0806 20 98	0902 10 00	
0601 10 90	0703 10 11	0808 20 90	0904 12 00	
0601 20 30	0709 51 30	0810 40 30	0905 00 00	1302 19 05
0601 20 90	0709 51 50	0810 40 50	0907 00 00	
0602 10 90	0709 51 90	0810 40 90	0910 40 13	2302 50 00
0602 20 90	0709 52 00	0810 90 85	0910 40 19	2306 90 19
	0709 90 40	0811 90 70	0910 40 90	2308 90 90

(1) As defined in Commission Regulation (EC) No 2204/1999 of 12 October 1999, amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 278, 28.10.1999, p. 1).

ANNEX A(b)

Imports into the Community of the following products originating in the Czech Republic shall be subject to the concessions set out below

(MFN = most favoured nation duty)

Order No	CN code	Description (1)	Applicable duty (% of MFN) (2)	Annual quantity from 1.7.2000 to 30.6.2001 (tonnes)	Yearly increase as from 1.7.2001 (tonnes)	Specific provisions
	0101 19 90	Live horses, other than for slaughter	67	Unlimited		
09.4598	0102 90 05	Live bovine animals of a live weight not exceeding 80 kg	20	178 000 head	0	(3)
09.4537	0102 90 21 0102 90 29 0102 90 41 0102 90 49	Live bovine animals of a live weight exceeding 80 kg but not exceeding 300 kg		153 000 head	0	(3)
09.4563	ex 0102 90	Heifers and cows not for slaughter of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau	6 % <i>ad valorem</i>	7 000 head	0	(4)
09.4625	0103 91 10 0103 92 19	Live swine, domestic species	20	1 500	0	
09.4575	0104 10 30 0104 10 80 0104 20 90 0204	Live sheep or goats Meat of sheep or goats	free	2 150	0	(5)
09.4623	0201 0202	Meat of bovines, fresh, chilled or frozen	20	3 500	0	
09.4626	ex 0203 0210 11 to 0210 19	Meat of domestic swine, fresh, chilled or frozen Meat of swine, salted, in brine, dried or smoked	free	10 000	1 500	(8), (11) (8)
09.4627	0207	Poultry, fresh, chilled or frozen	free	9 000	1 350	(8)
09.4611	0402 10 19 0402 21 19 0402 21 91	Skimmed milk powder Whole milk powder Whole milk powder	20	2 875	0	
09.4612	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 20 90	Butter	20	1 250	0	
09.4613	0406	Cheese and curd	free	5 100	765	(8)
09.4628	0407 00 30	Eggs of poultry in shell, not for hatching	20	6 625	0	
09.4615	0408 11 80 0408 19 81 0408 19 89	Egg yolks, dried Egg yolks, liquid Egg yolks, frozen	20	375	0	(9)

Order No	CN code	Description (1)	Applicable duty (% of MFN) (2)	Annual quantity from 1.7.2000 to 30.6.2001 (tonnes)	Yearly increase as from 1.7.2001 (tonnes)	Specific provisions
09.4616	0408 91 80 0408 99 80	Birds' eggs, dried Birds' eggs, other	20	2 750	0	(10)
09.5561	0409 00 00	Natural honey	free	1 000	150	
	0409 00 00	Natural honey	93	Unlimited		
	ex 0603 10 10 ex 0603 10 20 ex 0603 10 40 ex 0603 10 50 ex 0603 10 80	Cut flowers and flower buds, fresh (from 1 November to 31 May)	2 % <i>ad valorem</i>	Unlimited		
09.5645	0603 10 10 0603 10 20 0603 10 40 0603 10 50 0603 10 80	Cut flowers and flower buds, fresh	20	250	0	
	0603 90 00	Cut flowers, not fresh	35	Unlimited		
	ex 0707 00 05	Cucumbers, fresh or chilled (from 16 May to 31 October)	80	Unlimited		(7)
	0711 40 00	Cucumbers and gherkins	80	Unlimited		
	0712 20 00 ex 0712 90 90	Onions Horseradish	50 free	Unlimited Unlimited		
09.5286	0808 10	Apples, fresh	free	500	0	
09.5741	ex 0809 20 05	Sour cherries, for processing	free	3 000	450	(7)
	0809 20 05	Sour cherries, fresh	73	Unlimited		(7)
	0809 40 90	Sloes	47	Unlimited		
09.5535	0810 20	Raspberries, blackberries, mulberries and loganberries	free	375	0	(6)
09.5743	0810 20 10 0810 30 10	Raspberries, fresh Blackcurrants, fresh	41 free	Unlimited 500	75	
09.5745	0810 30 10 0810 30 30 0810 30 30 0810 30 90	Blackcurrants, fresh Redcurrants, fresh Redcurrants, fresh Other berries	41 free 41 24	Unlimited 2 000 Unlimited Unlimited	300	
09.5747	0811 10 90 0811 20 19 ex 0811 20 19	Strawberries, frozen Berries, frozen, sugar content not more than 13 % by weight Raspberries, frozen, sugar content not more than 13 % by weight	36 free 34	Unlimited 150 Unlimited	25	(6)
09.5749	0811 20 31 0811 20 31	Raspberries, frozen Raspberries, frozen	free 39	200 Unlimited	30	
09.5751	0811 20 39	Blackcurrants, frozen	free	500	75	

Order No	CN code	Description (1)	Applicable duty (% of MFN) (2)	Annual quantity from 1.7.2000 to 30.6.2001 (tonnes)	Yearly increase as from 1.7.2001 (tonnes)	Specific provisions
09.5753	0811 20 39	Blackcurrants, frozen	28	illimité		
	0811 20 51	Redcurrants, frozen	free	2 000	300	
	0811 20 51	Redcurrants, frozen	33	unlimited		
09.5292	0811 20 90	Berries, frozen, other (gooseberries)	33	1 375	0	
09.5755	0811 90 50	Fruits of the species <i>Vaccinium myrtillus</i> , frozen	free	1 000	150	
09.5757	0811 90 75	Sour cherries, frozen	free	1 700	255	
09.5759	ex 0811 90 95	Rose-hips	free	unlimited		
	ex 0811 90 95	Other fruits and nuts frozen (excluding rose-hips)	free	1 500	225	
09.5291	ex 0811 90 95	Other fruits and nuts frozen (excluding rose-hips)	33	3 500	0	
09.5287	ex 0811	Other than 0811 10 90, 20 19, 20 31, 20 39, 20 51, 90 70	20	500	0	
09.4617	ex 1003 00 90	Barley, for the production of malt	20	34 250	0	
09.4618	1101 00 00	Wheat flour	20	16 875	0	
09.4619	1107 10 99	Malt, not roasted, other than of wheat	free	45 250	0	
09.5171	1210 10 00 1210 20 00	Hops	free	7 000	0	
09.5289	1512 11 10	Sunflower seed or safflower oil and fractions thereof Crude oil, for technical and industrial uses	free	875	0	
09.5579	1514 10 10	Crude rapeseed, colza or mustard oil other than for human consumption	free	11 375	0	
09.4629	1601 00 1602 41 to 1602 49	Sausages and similar products Prepared or preserved meat of swine	free	2 300	690	(8)
09.4630	1602 31 to 1602 39	Prepared or preserved meat of poultry	free	1 000	150	(8)
	1602 50 31 1602 50 39 1602 50 80	Other prepared or preserved meat, meat offal or blood of bovine animal, other	65 65 65	Unlimited		
09.5537	2001 10 00	Cucumbers, preserved	free	1 000	150	
	2001 90 20	Fruits of the genus <i>Capsicum</i> , other than sweet peppers	50	Unlimited		
09.5290	2002 90	Tomatoes, other	free	100	0	

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2000 to 30.6.2001 (tonnes)	Yearly increase as from 1.7.2001 (tonnes)	Specific provisions
09.5763	2007 10 10	Homogenised preparations with a sugar content exceeding 13 % by weight	free	300	45	
	2007 99 10 2007 99 31	Plum purée and paste Cherry jams, jellies, marmalades, purées and pastes with a sugar content exceeding 30 % by weight	86 83	Unlimited		(7)
09.5765	2009 11 19 2009 11 99 2009 19 19 2009 19 99 2009 20 19 2009 20 99 2009 30 19 2009 30 39 2009 30 55 2009 30 59 2009 30 95 2009 30 99 2009 40 19 2009 40 93 2009 40 99 2009 60 11 2009 60 19 2009 60 51 2009 60 59 2009 60 90	Fruit juices	free	600	200	(7) (7) (7) (7) (7)
09.5539	2009 70	Apple juice	free	250	0	(7)
09.5767 09.5769	2009 70 30 2009 70 99	Apple juice Apple juice	free free	12 000 10 000	1 800 1 500	
	2009 70 30 2009 70 93 2009 70 99 2009 80 99	Apple juice Apple juice Apple juice Blackcurrant juice	48 48 48 36	Unlimited Unlimited Unlimited Unlimited		

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

(2) In cases where a MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

(3) The quota for this product is opened for Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia. Where it appears likely that total Community imports of live bovine animals may exceed 500 000 head in a given marketing year the Community may take the management measures needed to protect its market, notwithstanding any other rights given under the Agreement.

(4) The quota for this product is opened for Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia.

(5) The Community may take into account, in the framework of its legislation and when appropriate, the supply needs of its market and the need to maintain its market balance.

(6) Subject to minimum import price arrangements contained in the Annex to the present Annex.

(7) The reduction applies only to the *ad valorem* part of the duty.

(8) This concession is only applicable to products not benefiting from any kind of export subsidies.

(9) As liquid egg yolk equivalent: 1 kg dried egg yolks = 2,12 kg liquid eggs.

(10) As liquid equivalent: 1 kg dried eggs = 3,9 kg liquid eggs.

(11) Excluding tenderloin presented alone.

Annex to Annex A(b)

Minimum import price arrangement for certain soft fruit for processing

1. Minimum import prices are fixed as follows for the following products for processing originating in the Czech Republic:

CN code	Description	Minimum import price (EUR/100 kg net)
ex 0810 20 10	Raspberries, fresh	63,1
ex 0810 30 10	Blackcurrants, fresh	38,5
ex 0810 30 30	Redcurrants, fresh	23,3
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter: whole fruit	75,0
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter: other	57,6
ex 0811 20 19	Frozen raspberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: whole fruit	99,5
ex 0811 20 19	Frozen raspberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: other	79,6
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: whole fruit	99,5
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: other	79,6
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: without stalk	62,8
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: other	44,8
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter: without stalk	39,0
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter: other	29,5

2. The minimum import prices, as set out in point 1, will be respected on a consignment by consignment basis. In the case of a customs declaration value being lower than the minimum import price, a countervailing duty will be charged equal to the difference between the minimum import price and the customs declaration value.
3. If the import prices of a given product covered by this Annex show a trend suggesting that the prices could go below the level of the minimum import prices in the immediate future, the European Commission will inform the Czech Republic authorities in order to enable them to correct the situation.
4. At the request of either the Community or the Czech Republic, the Association Committee shall examine the functioning of the system or the revision of the level of the minimum import prices. If appropriate, the Association Committee shall take the necessary decisions.
5. To encourage and promote the development of trade and for the mutual benefit of all parties concerned, a consultation meeting will be organised three months before the beginning of each marketing year in the European Community. This consultation meeting will take place between the European Commission and the interested European producers' organisations for the products concerned, of the one part, and the authorities', producers' and exporters' organisations of all the associated exporting countries, of the other part.

During this consultation meeting, the market situation for soft fruit including, in particular, forecasts for production, stock situation, price evolution and possible market development, as well as possibilities to adapt supply to demand, will be discussed.