

## EXCHANGE OF LETTERS

Regarding Article 2 (2) of the Additional Protocol as regards imports into the Community of fresh cut flowers and flower buds falling within subheading 06.03 A of the Common Customs Tariff

A. *Letter from the Community*

Brussels, . . . . .

Sir,

Article 2 (2) of the Additional Protocol provides for the progressive phasing out of customs duties on imports into the Community of fresh cut flowers and flower buds falling within subheading 06.03 A of the Common Customs Tariff, originating in Morocco, subject to a limit of 300 tonnes.

For roses and carnations qualifying for this tariff dismantling, Morocco undertakes to respect the price level on import into the Community as defined below:

- the price level on import into the Community must be at least equal to 85 % of the Community price level for the same products over the same periods,
- the Moroccan price level shall be determined by the registration, on the representative Community import markets, of the prices of imported products, customs duties not deducted,
- the Community price level shall be based on producer prices registered on representative producer markets of the main producer Member States,
- for the analysis of Community producer prices and the import prices of Moroccan products, two types of roses shall be distinguished, those with large and with small flowers, and, for carnations, the unifloral and multi-floral types.

If, during two successive market days, for the same type of product and for at least 30 % of the quantities imported into the Community for which price quotations are available, the Moroccan price level is below 85 % of the Community price level, the tariff preference shall be suspended. The Community will restore the tariff preference after registering a Moroccan price level equal or superior to 85 % of the Community price level during two successive market days, or six successive working days in the absence of quotations for products originating in Morocco.

If, over five to seven successive market days, the Moroccan price level fluctuates around 85 % of the Community price level and is below this limit for three days, the tariff preference shall be suspended for a period of six days. However, the preferential customs duty shall be restored by the Community if, during three successive market days, a Moroccan price level is registered equal or superior to 85 % of the Community price level.

Morocco further undertakes to maintain the traditional breakdown of trade between roses and carnations.

Should the Community market be disturbed by a change in this breakdown the Community reserves the right to determine the proportions in line with traditional trade patterns. In such cases an appropriate exchange of views could take place.

I should be obliged if you would confirm that your Government is in agreement with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*On behalf  
of the Council of the European Communities*

B. *Letter from the Moroccan Government*

Brussels, . . . . .

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows:

'Article 2 (2) of the Additional Protocol provides for the progressive phasing out of customs duties on imports into the Community of fresh cut flowers and flower buds falling within subheading 06.03 A of the Common Customs Tariff, originating in Morocco, subject to a limit of 300 tonnes.

For roses and carnations qualifying for this tariff dismantling, Morocco undertakes to respect the price level on import into the Community as defined below:

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- the Moroccan price level shall be determined by the registration, on the representative Community import markets, of the prices of imported products, customs duties not deducted,
- the Community price level shall be based on producer prices registered on representative producer markets of the main producer Member States,
- for the analysis of Community producer prices and the import prices of Moroccan products, two types of roses shall be distinguished, those with large and with small flowers, and, for carnations, the unifloral and multi-floral types.

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Morocco further undertakes to maintain the traditional breakdown of trade between roses and carnations.

Should the Community market be disturbed by a change in this breakdown the Community reserves the right to determine the proportions in line with traditional trade patterns. In such cases an appropriate exchange of views could take place.

I should be obliged if you would confirm that your Government is in agreement with the foregoing.'

I have the honour to confirm that my Government is in agreement with the contents of your letter.

Please accept, Sir, the assurance of my highest consideration.

*For the Government  
of the Kingdom of Morocco*

**Declaration by the Representative of the Federal Republic of Germany on the definition of German nationality**

Every German person, within the meaning of the basic constitutional law applying in the Federal Republic of Germany, is considered as a national of the Federal Republic of Germany.

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**Declaration by the representative of the Federal Republic of Germany on the application of the Additional Protocol to Berlin**

The Additional Protocol shall also apply to Land Berlin provided that no statement to the contrary by the Government of the Federal Republic of Germany is addressed to the other Contracting Parties within three months of the entry into force of the Protocol.

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