

AGREEMENT

in the form of an exchange of letters between the European Community and the Kingdom of Morocco on the regime for imports into the European Community of tomatoes and courgettes originating in and imported from Morocco

Letter No 1

Brussels, 22 December 1994.

Sir,

I have the honour to refer to the consultations which have taken place between the Moroccan authorities and officials of the Commission of the European Communities concerning the application to agricultural products of the outcome of the Uruguay Round of multilateral trade negotiations.

The purpose of these consultations was to investigate the possibility, pursuant to Article 25 of the Cooperation Agreement, of according to imports originating in and imported from Morocco an advantage comparable to that provided for in the Cooperated Agreement between the European Economic Community and the Kingdom of Morocco.

The consultations led to agreement on the following arrangements:

1. For fresh tomatoes under heading CN 0702 00 10:

(a) for each five-month period from 1 November to 31 March, for a maximum quantity of 130 000 tonnes, distributed as follows over the five months:

— November:	16 304 tonnes
— December:	32 690 tonnes
— January:	27 756 tonnes
— February:	29 594 tonnes
— March:	23 656 tonnes

Total 130 000 tonnes

the entry price beyond which the specific duty is cut to zero shall be ECU 560 per tonne (hereinafter referred to as the 'agreed entry price');

(b) for the period from 1 January to 31 March 1995, the maximum quantity shall be 81 006 tonnes, distributed over the three months as shown above;

(c) if, in the course of a given month, the quantities provided for have not been achieved, the remaining amount up to a maximum of 10 % of the total for that month may be carried over to the following month;

(d) in any given month, the quantity laid down may be exceeded by up to 10 % provided the total for the period does not exceed 130 000 tonnes (or 81 006 tonnes for the period from 1 January to 31 March 1995).

2. For fresh courgettes under heading CN 0709 90 70:

(a) for each period from 1 October to 20 April, for a maximum quantity of 1 200 tonnes, the entry price beyond which the specific duty is cut to zero shall be ECU 451 per tonne (hereinafter referred to as the 'agreed entry price');

(b) for the period from 1 January to 20 April 1995, the maximum quantity shall be 1 000 tonnes.

3. (a) If the entry price for a consignment is lower than the agreed entry price by 2, 4, 6 or 8 %, the specific customs duty shall be equal to 2, 4, 6 or 8 % of the said agreed price.

(b) If the entry price for a consignment is less than 92 % of the agreed price, the specific rate of customs duty bound in GATT shall apply.

4. The Kingdom of Morocco undertakes to ensure that total exports of tomatoes and courgettes to the European Community in the course of the periods concerned shall not exceed the quantities agreed. To this end, it shall inform the Commission of the European Communities, every Tuesday for tomatoes, and once a month for courgettes, of the quantities exported during the preceding week or month.

The Commission reserves the right to introduce a system of import licences to ensure proper application of this arrangement.

The Kingdom of Morocco and the European Community shall consult together at all times, at the request of either party, on the operation of the Agreement.

5. The purpose of this Agreement is to maintain the level of traditional Moroccan exports to the Community, i.e. the average volume of exports recorded during the crop years 1990/91, 1991/92 and 1992/93.

The parties shall consult together each year, in the course of the second quarter, to consider trade during the previous crop year; they shall take any steps necessary to ensure that this purpose is fully achieved for the forthcoming crop year.

6. The quantity of 130 000 tonnes, agreed for imports of tomatoes from 1 November to 31 March, shall be adjusted in the light of the average exports from Morocco to the new Member States (average for 1990/91, 1991/92 and 1992/93) over the same five-month period.
7. The regime set out in this Agreement shall be incorporated in the new agreement to be concluded between the European Community and the Kingdom of Morocco.
8. The provisions of this Agreement shall be applicable from 1 January 1995.

This Agreement shall be approved by the Contracting Parties in accordance with their normal procedures.

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

*On behalf of the Council
of the European Union*



Letter No 2

Rabat, 12 January 1995.

Sir,

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

'I have the honour to refer to the consultations which have taken place between the Moroccan authorities and officials of the Commission of the European Communities concerning the application to agricultural products of the outcome of the Uruguay Round of multi-lateral trade negotiations.

The purpose of these consultations was to investigate the possibility, pursuant to Article 25 of the Cooperation Agreement, of according to imports originating in and imported from Morocco an advantage comparable to that provided for in the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco.

The consultations led to agreement on the following arrangements :

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— February :	29 594 tonnes
— March :	<u>23 656 tonnes</u>
Total	130 000 tonnes

the entry price beyond which the specific duty is cut to zero shall be ECU 560 per tonne (hereinafter referred to as the "agreed entry price");

- (b) for the period from 1 January to 31 March 1995, the maximum quantity shall be 81 006 tonnes, distributed over the three months as shown above ;
- (c) if, in the course of a given month, the quantities provided for have not been achieved, the remaining amount up to a maximum of 10 % of the total for that month may be carried over to the following month ;
- (d) in any given month, the quantity laid down may be exceeded by up to 10 % provided the total for the period does not exceed 130 000 tonnes (or 81 006 tonnes for the period from 1 January to 31 March 1995).

2. For fresh courgettes under heading CN 0709 90 70 :

- (a) for each period from 1 October to 20 April, for a maximum quantity of 1 200 tonnes, the entry price beyond which the specific duty is cut to zero shall be ECU 451 per tonne (hereinafter referred to as the "agreed entry price");
- (b) for the period from 1 January to 20 April 1995, the maximum quantity shall be 1 000 tonnes.

3. (a) If the entry price for a consignment is lower than the agreed entry price by 2, 4, 6 or 8 %, the specific customs duty shall be equal to 2, 4, 6 or 8 % of the said agreed price.
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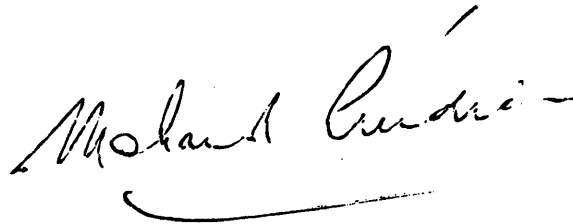
6. The quantity of 130 000 tonnes, agreed for imports of tomatoes from 1 November to 31 March, shall be adjusted in the light of the average exports from Morocco to the new Member States (average for 1990/91, 1991/92 and 1992/93) over the same five-month period.
7. The regime set out in this Agreement shall be incorporated in the new agreement to be concluded between the European Community and the Kingdom of Morocco.
8. The provisions of this Agreement shall be applicable from 1 January 1995.

This Agreement shall be approved by the Contracting Parties in accordance with their normal procedures.'

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

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

For the Kingdom of Morocco



Mohamed Boudia
