ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

DECISION No 1/2009 OF THE EU-TUNISIA ASSOCIATION COUNCIL

of 22 October 2009

amending Decision No 1/1999 on the implementation of the provisions on processed agricultural products laid down in Article 10 of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part

(2009/819/EC)

THE EU-TUNISIA ASSOCIATION COUNCIL,

Having regard to the Euro-Mediterranean Agreement of 17 July 1995 establishing an association between the European Communities and their Member States, of the one part, and the Republic of Tunisia, of the other part (¹) (hereinafter referred to as the Agreement), and in particular Articles 10 and 80 thereof,

Whereas:

- (1) Decision No 1/1999 (²), pursuant to Article 10(2) of the Agreement, establishes the specification by the Republic of Tunisia of the agricultural component of the basic import duties for the products listed in Annex 2 to the Agreement which originate in the Community.
- (2) Article 10(4) of the Agreement provides that the Republic of Tunisia shall eliminate the industrial component of the basic import duties, starting from the entry into force of the Agreement in 1998.
- (3) Following difficulties found in the dismantling of the industrial component of the duties, as provided for in paragraphs 2, 3 and 4 of Article 10 of the Agreement for the products listed in Annex 2, a group of experts from the Commission and the Republic of Tunisia, under a mandate from the Association Council, met ten times between 2003 and 2007.
- (4) That group of experts concluded that the definition of the agricultural component of the basic duty, and consequently the Annexes to Decision No 1/1999

should be amended. This amendment should alter neither the basic duty nor the schedule for its dismantling laid down in the Agreement.

(5) This amendment should therefore be the subject of a decision of the Association Council,

HAS DECIDED AS FOLLOWS:

Article 1

Annexes I and II to Decision No 1/1999 are hereby replaced by Annexes I and II respectively to this Decision.

Article 2

The Republic of Tunisia, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

Article 3

This Decision shall enter into force the day after its adoption by the Association Council.

Done at Brussels, 22 October 2009.

For the Association Council

The President

C. BILDT

⁽¹⁾ OJ L 97, 30.3.1998, p. 2.

⁽²⁾ OJ L 298, 19.11.1999, p. 16.

ANNEX I

CN Code (1)	Description	As per 1.1.1995 (%)	Agricultural component (%)
0710	Vegetables (uncooked or cooked by steaming or boiling in water), frozen:		
0710 40 00	- Sweet corn	43	30
0711	Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:		
0711 90 30	Sweet corn	43	42
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:		
1702 50 00	- Chemically pure fructose	29	10
1903	Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or similar forms	29	10
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included:		
1904 20	- Prepared foods obtained from unroasted cereal flakes or from mixtures of unroasted cereal flakes and roasted cereal flakes or swelled cereals:		
1904 20 10	Preparation of the Muesli type based on unroasted cereal flakes	43	32
	Other:		
1904 20 91	Obtained from maize	43	32
1904 20 95	Obtained from rice	43	32
1904 20 99	Other	43	32
1904 30 00	- Bulgur wheat	43	15
2001	Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid:		
2001 90	- Other:		
2001 90 30	Sweetcorn (Zea mays var. saccharata)	43	27
2001 90 40	Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch	43	15
2004	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006:		
2004 10	- Potatoes:		
	Other		
2004 10 91	In the form of flour, meal or flakes	43	10
2004 90	- Other vegetables and mixtures of vegetables:		
2004 90 10	Sweetcorn (Zea mays var. saccharata)	43	19



CN Code (1)	Description	As per 1.1.1995 (%)	Agricultural component (%)
2005	Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006:		
2005 20	- Potatoes:		
2005 20 10	In the form of flour, meal or flakes	43	12
2005 80 00	- Sweetcorn (Zea mays var. saccharata)	43	21
2008	Fruit and other edible parts of plants, otherwise prepared or preserved, whether or not containing added sugar or other sweetening matter or spirit, not elsewhere specified or included:		
2008 99	Other:		
	Not containing added spirit:		
	Not containing added sugar:		
2008 99 85	Maize (corn), other than sweetcorn (Zea mays var. saccharata)	43	10
2008 99 91	Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch	43	15
2101	Extracts, essences and concentrates of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof:		
	- Extracts, essences and concentrates of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee:		
2101 12	Preparations with a basis of these extracts, essences or concentrates or with a basis of coffee		
2101 12 98	other than preparations with a basis of extracts, essences or concentrates of coffee	43	10
2101 20	- Extracts, essences and concentrates of tea or maté, and preparations with a basis of these extracts, essences and concentrates or with a basis of tea or maté:		
	Extracts, essences or concentrates		
	Preparations:		
2101 20 92	With a basis of extracts, essences or concentrates of tea or maté	43	10
2101 20 98	Other	43	10
2101 30	- Roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof:		
	Roasted chicory and other roasted coffee substitutes:		
2101 30 19	Other (than roasted chicory)	43	0
	Extracts, essences and concentrates of roasted chicory and other roasted coffee substitutes:		
2101 30 99	Other than roasted chicory	43	0
2905	Acrylic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives:		
	- Other polyhydric alcohols:		
2905 43 00	Mannitol	20	0

 $\ensuremath{^{(1)}}$ The CN codes are those in force on 1 January 2008.

CN Code (1)	Description	As per 1.1.1995 (%)	Agricultural component (%)
2905 44	D-glucitol (sorbitol):		
	In aqueous solution:		
2905 44 11	Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	20	0
2905 44 19	Other	20	0
	Other		
2905 44 91	Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol content	20	0
2905 44 99	Other	20	0
ex 3501	Casein, caseinates and other casein derivatives:		
3501 10	- Casein	20	0
3501 90	- Other:		
3501 90 90	Other	20	0
3824	Prepared binders for foundry moulds or cores; chemical products and preparations of the chemical or allied industries (including those consisting of mixtures of natural products), not elsewhere specified or included:		
3824 60	- Sorbitol, other than that of subheading 2905 44:		
	In aqueous solution:		
3824 60 11	Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol	23	0
3824 60 19	Other	23	0
	Other:		
3824 60 91	Containing 2 % or less by weight of D-mannitol, calculated on the D-glucitol	23	0
3824 60 99	Other	23	0

ANNEX II

CN Code (1)	Description	As per 1.1.1995 (%)	Agricultural component (%)
ex 1517	Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this chapter, other than edible fats or oils or their fractions of heading 1516:		
1517 10	- Margarine, excluding liquid margarine:		
1517 10 10	Containing, by weight, more than 10 % but not more than 15 % of milk fats	43	32
1517 90	- Other:		
1517 90 10	Containing, by weight, more than 10 % but not more than 15 % of milk fats	43	32
1520 00 00	Glycerol, crude; glycerol waters and glycerol lyes	20	10
1704	Sugar confectionery (including white chocolate), not containing cocoa:		
1704 10	Chewing gum, whether or not sugar-coated:		
ex 1704 10 10	Containing less than 60 % by weight of sucrose (including invert sugar expressed as sucrose), in the form of a strip	43	32
ex 1704 10 10	Containing less than 60 % by weight of sucrose (including invert sugar expressed as sucrose), other than in the form of a strip	43	43
1704 10 90	Containing 60 % or more by weight of sucrose (including invert sugar expressed as sucrose)	43	43
1704 90	- Other:		
1704 90 10	Liquorice extract containing more than 10 % by weight of sucrose but not containing other added substances	43	32
1704 90 30	White chocolate	43	43
	Other		
1704 90 51	Pastes, including marzipan, in immediate packings of a net content of 1 kg or more	43	43
1704 90 55	Throat pastilles and cough drops	43	23
1704 90 61	Sugar-coated goods	43	43
	Other:		
1704 90 65	Gum confectionery and jelly confectionery, including fruit pastes in the form of sugar confectionery	43	43
1704 90 71	Boiled sweets whether or not filled	43	43
1704 90 75	Toffees, caramels and similar sweets	43	43
	Other		
1704 90 81	Compressed tablets	43	43
1704 90 99	Other	43	43
1803	Cocoa paste, whether or not defatted:		
1803 10 00	- Not defatted	33	18
1803 20 00	- Wholly or partly defatted	33	18



CN Code (1)	Description	As per 1.1.1995 (%)	Agricultural component (%)
1805 00 00	Cocoa powder, not containing added sugar or other sweetening matter	43	18
1806	Chocolate and other food preparations containing cocoa:		
1806 10	- Cocoa powder, containing added sugar or other sweetening matter:		
1806 10 15	containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	43	32
1806 10 20	containing 5 % or more but less than 65 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	43	32
1806 10 30	containing 65 % or more but less than 80 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	43	32
1806 10 90	containing 80 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose	43	32
1806 20	 Other preparations in blocks, slabs or bars weighing more than 2 kg or in liquid, paste, powder, granular or other bulk form in containers or immediate packings of a content exceeding 2 kg: 		
1806 20 10	containing 31 % or more by weight of cocoa butter or containing a combined weight of 31 % or more of cocoa butter and milk fat	43	43
1806 20 30	containing a combined weight of 25 % or more but less than 31 % of cocoa butter and milk fat	43	32
	Other:		
1806 20 50	containing 18 % or more by weight of cocoa butter	40	32
1806 20 70	Chocolate milk crumb;	43	32
1806 20 80	Chocolate flavour coating	43	32
1806 20 95	Other	43	43
	- Other, in blocks, slabs or bars:		
1806 31 00	Filled	43	43
	Not filled		
1806 32 10	With added cereal, fruit or nuts	43	43
1806 32 90	Other	43	43
1806 90	- Other:		
	Chocolate and chocolate products:		
	Chocolates (including pralines), whether or not filled:		
1806 90 11	Containing alcohol	43	17
1806 90 19	Other	43	43
	Other:		
1806 90 31	Filled	43	43
1806 90 39	Not filled:	43	43
1806 90 50	Sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa	43	43

CN Code (1)	Description	As per 1.1.1995 (%)	Agricultural component (%)
1806 90 60	Spreads containing cocoa	43	43
1806 90 70	preparations containing cocoa for making beverages	43	43
1806 90 90	Other	43	43
1901	Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing less than 40 % by weight of coca calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 0401 to 0404, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:		
1901 10 00	- Preparations for infant use, put up for retail sale		
ex 1901 10 00	Flour gruel containing cocoa	43	19
ex 1901 10 00	Flour gruel without cocoa	20	19
ex 1901 10 00	Milk for invalids and babies	15	10
ex 1901 10 00	Other preparations for infant use	43	19
1901 20 00	Mixes and doughs for the preparations of bakers' wares of heading 1905	43	43
1901 90	- Other:		
	Malt extract		
1901 90 11	With a dry extract content of 90 % or more by weight	29	10
1901 90 19	Other	29	10
	Other:		
1901 90 91	containing no milk fats, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milk fat, 5 % sucrose (including invert sugar) or isoglucose, 5 % glucose or starch, excluding food preparations in powder form of goods of headings 0401 to 0404	29	10
1901 90 99	Other	29	29
1904	Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize(corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre–cooked or otherwise prepared, not elsewhere specified or included:		
1904 10	- Prepared foods obtained by the swelling or roasting of cereals or cereal products		
1904 10 10	Obtained from maize	43	43
1904 10 30	Obtained from rice	43	43
1904 10 90	Other	43	43
1904 90	- Other:		
1904 90 10	Rice	43	15
1904 90 80	Other	43	32



CN Code (¹)	Description	As per 1.1.1995 (%)	Agricultural component (%)
2105	Ice cream and other edible ice, whether or not containing cocoa:		
2105 00 10	- containing no milk fats or containing less than 3 % by weight of such fats	43	43
	– containing by weight of milk fats:		
2105 00 91	3 % or more but less than 7 %	43	43
2105 00 99	7 % or more	43	43
2106	Food preparations not elsewhere specified or included:		
2106 10	- Protein concentrates and textured protein substances:		
2106 10 20	Containing no milk fats, sucrose, isoglucose, glucose or starch or containing, by weight, less than 1,5 % milk fat, 5 % sucrose or isoglucose, 5 % glucose or starch	43	0
2106 10 80	Other	43	0
2106 90	- Other:		
	- Other:		
2106 90 92	Containing no milk fats, sucrose, isoglucose, glucose or starch or containing, by weight, less than 1,5 % milk fat, 5 % sucrose or isoglucose, and 5 % glucose or starch	43	0
ex 2106 90 98	other, with the exception of subheadings 2106 90 98 200 and 2106 90 98 915	43	0
2106 90 98 200	Cheese fondues	43	10
2106 90 98 915	Powders for the preparation of creams	43	10
2202	Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading 2009		
2202 90	- other soft drinks, not including fruit or vegetable juices of heading 2009:		
	Other, containing by weight of fat obtained from the products of headings 0401 to 0404:		
2202 90 91	Less than 0,2 %	43	10
2202 90 95	0,2 % or more but less than 2 %	43	10
2202 90 99	2 % or more	43	10
2203 00	Beer made from malt	43	43
2208	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol; spirits, liqueurs and other spirit drinks:		
2208 20	- Spirits obtained by distilling grape wine or grape marc	43	10
2208 30	- Whiskies:	43	10
2208 40	- Rum and other spirits obtained by distilling fermented sugar-cane products	43	10
2208 50	- Gin and Geneva:	43	10

CN Code (¹)	Description	As per 1.1.1995 (%)	Agricultural component (%)
2208 60	- Vodka		
	Of an alcoholic strength by volume of 45,4% vol or less in containers holding:		
2208 60 11	Not exceeding 2 litres	43	10
	Of an alcoholic strength by volume of more than 45,4 % vol in containers holding:		
2208 60 91	2 litres or less	43	10
2208 60 99	more than 2 litres	43	10
2208 70	- Liqueurs		
2208 70 10	In containers holding 2 litres or less	43	0
2208 70 90	In containers holding more than 2 litres	43	0
2208 90	- Other:		
	Arrack, in containers holding:		
2208 90 11	2 litres or less	43	10
2208 90 19	more than 2 litres	43	10
	Plum, pear or cherry spirit (excluding liqueurs), in containers holding:		
2208 90 33	2 litres or less	43	10
2208 90 38	more than 2 litres	43	10
	Other spirits and other spirituous beverages, in containers holding:		
	2 litres or less:		
2208 90 41	Ouzo	43	10
	Other:		
	Spirits (excluding liqueurs):		
	Distilled from fruit:		
2208 90 45	Calvados	43	10
2208 90 48	Other	43	10
	Other:		
2208 90 52	Korn	43	10
2208 90 54	Tequila	43	0
2208 90 56	Other	43	0
2208 90 69	Other spirit drinks	43	0
	more than 2 litres:		
	Spirits (excluding liqueurs):		
2208 90 71	Distilled from fruit	43	0
2208 90 75	Tequila	43	0



CN Code (¹)	Description	As per 1.1.1995 (%)	Agricultural component (%)
2208 90 77	Other	43	0
2208 90 78	Other spirit drinks	43	0
	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol, in containers holding:		
2208 90 91	2 litres or less	43	0
2208 90 99	more than 2 litres	43	0
2402	Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes:		
2402 10 00	- Cigars, cheroots and cigarillos, containing tobacco	34	10
2402 20	- Cigarettes containing tobacco:		
2402 20 10	containing cloves	34	10
2402 20 90	Other	34	10
2402 90 00	- Other	34	10
2905 45 00	Glycerol	20	10
2915	Saturated acyclic monocarboxylic acids and their anhydrides, halides, peroxides and peroxyacids; their halogenated, sulphonated, nitrated or nitrosated derivatives:		
2915 90	- Other	20	0
3505	Dextrins and other modified starches (for example, pregelatinised or esterified starches); glues based on starches, or on dextrins or other modified starches:		
3505 10	- Dextrins and other modified starches		
3505 10 10	Dextrins	20	0
	Other modified starches:		
3505 10 90	other modified starches, not esterified or etherified	20	0
3505 20	- Glues:		
3505 20 10	containing, by weight, less than 25 % of starches or dextrins or other modified starches	20	0
3505 20 30	containing, by weight, 25 % or more but less than 55 % of starches or dextrins or other modified starches	20	0
3505 20 50	containing, by weight, 55 % or more but less than 80 % of starches or dextrins or other modified starches	20	0
3505 20 90	Containing by weight 80 % or more of starches or dextrins or other modified starches	20	0

 $(^{1}\!)$ The CN codes are those in force on 1.1.2008.

CN Code (¹)	Description	As per 1.1.1995 (%)	Agricultural component (%)
3809	Finishing agents, dye carriers to accelerate the dyeing or fixing of dyestuffs and other products and preparations (for example, dressings and mordants), of a kind used in the textile, paper, leather or like industries, not elsewhere specified or included:		
3809 10	- With a basis of amylaceouos substances:		
3809 10 10	containing by weight of such substances less than 55 %	20	0
3809 10 30	containing by weight of such substances 55 % or more but less than 70 %	20	0
3809 10 50	containing by weight of such substances 70 % or more but less than 83 %	20	0
3809 10 90	containing by weight of such substances 83 % or more	20	0
3823	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols:		
	- Industrial monocarboxylic fatty acids; acid oils from refining		
3823 11 00	Stearic acid	20	10
3823 12 00	Oleic acid	20	10
3823 13 00	Tall oil fatty acids	20	10
3823 19	Other:		
3823 19 10	Distilled fatty acids	20	10
3823 19 30	Fatty acid distillate	20	10
3823 19 90	Other	20	10
3823 70 00	- Industrial fatty alcohols	20	10