

## COUNCIL REGULATION (EC) No 3379/94

of 22 December 1994

opening and administering certain Community tariff quotas in 1995 for certain agricultural products and for beer

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the 1994 Act of Accession,

Having regard to the proposal from the Commission,

Whereas, under the Europe Agreements, the Interim Agreements and the Free Trade Agreements between the Community of the one part, and Bulgaria, the Czech Republic, the Slovak Republic, Hungary, Poland and Romania of the other part (hereinafter called 'third countries'), concessions regarding certain agricultural products have been granted to most of those countries;

Whereas, as a result of the accession of Austria, Finland and Sweden, those concessions should be adjusted to take into account the arrangements for trade in agricultural products which existed between those States of the one part, and Bulgaria, the Czech Republic, the Slovak Republic, Hungary, Poland and Romania of the other part.

Whereas to that end exploratory talks are in progress with those third countries with a view to the conclusion of additional protocols to the abovementioned agreements;

Whereas, however, because of excessively tight deadlines, the additional protocols cannot enter into force on 1 January 1995;

Whereas in these circumstances and pursuant to Articles 76, 102 and 128 of the Act of Accession, the Commission must adopt the measures required to remedy the situation; whereas, given the very short time remaining before the accession of the new Member States, those measures must take the form of autonomous Community tariff quotas covering the conventional preferential tariff quotas applied by those States;

Whereas the new Member States must apply the import arrangements applicable in the Community with effect from 1 January 1995;

Whereas Austria has undertaken under the GATT to open tariff quotas for certain products; whereas those undertakings must be renegotiated as a result of its accession to the Community;

Whereas, however, maintenance of the tariff quotas resulting from the undertakings should be guaranteed temporarily; whereas, therefore, it is necessary to open autonomous Community tariff quotas taking account of the undertakings, without prejudice to the results of negotiations under the GATT following the accession of the new Member States,

HAS ADOPTED THIS REGULATION:

*Article 1*

Without prejudice to the import arrangements in the Community applicable to certain agricultural products pursuant to agreements concluded between the Community and Bulgaria, the Czech Republic, the Slovak Republic, Hungary, Poland and Romania, existing Community tariff quotas shall be increased or, as necessary, new Community tariff quotas shall be opened autonomously in accordance with Annexes I and II to this Regulation.

*Article 2*

Autonomous Community tariff quotas shall be opened in accordance with Annex III.

*Article 3*

Detailed rules of application for the products referred to in Annex I shall be adopted in accordance with the procedure laid down in Article 27 of Council Regulation (EEC) No 806/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(1)</sup> or in the corresponding Articles of the other Regulations on the common organization of the markets concerned.

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24. Regulation as last amended by Regulation (EC) No 1096/94 (OJ No L 121, 12. 5. 1994, p. 9).

*Article 4*

Articles 2 to 7 of Regulation (EC) No 1798/94<sup>(1)</sup> shall apply to the tariff quotas referred to in Annex II.

*Article 5*

1. For the products referred to in Annex III other than beer the detailed rules, including any extensions, and in particular:

- (a) provisions guaranteeing the nature, provenance and origin of the product;
- (b) provisions relating to recognition of the documents attesting to the guarantees referred to in (a); and
- (c) conditions for the issuance and period of validity of import licences;

shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68 or in the corresponding Articles of the other Regulations on the common organizations of the markets concerned.

2. With regard to beer, the detailed rules shall be the same as those adopted in accordance with the procedure laid down in Article 16 of Regulation (EC) No 3448/93<sup>(2)</sup> pursuant to the tariff concessions laid down in Protocol 3 to the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech and Slovak Republic<sup>(3)</sup>, of the other part.

*Article 6*

This Regulation shall enter into force on the date of entry into force of the 1994 Treaty of Accession.

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

Done at Brussels, 22 December 1994.

*For the Council*

*The President*

H. SEEHOFER

<sup>(1)</sup> OJ No L 189, 23. 7. 1994, p. 1.

<sup>(2)</sup> Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products (OJ No L 318, 20. 12. 1993, p. 8).

<sup>(3)</sup> OJ No L 115, 30. 4. 1992, p. 2.

## ANNEX I

## PREFERENTIAL TARIFF QUOTAS OPENED FOR 1995

## HUNGARY

CN code	Description	Conventional quotas ( <sup>1</sup> ) (in tonnes)	Autonomous quotas (in tonnes)	Rate of duty applicable
0201 0202	Meat of bovine animals	6 200	550	40% of levy and duty
ex 0203	Meat of domestic swine	28 000	100	40% of levy
0204	Meat of sheep or goats	1 450	480	free
0207 10 51 0207 10 55 0207 10 59 0207 23 11 0207 23 19	Ducks not cut in pieces, fresh, chilled or frozen	910	3 000	40% of levy
ex 0207 39 55 ex 0207 43 15	Cuts of ducks, boneless, fresh, chilled or frozen	910	240	40% of levy
ex 0207 39 73 ex 0207 43 53	Breasts and cuts thereof, of ducks, with bone in, fresh, chilled or frozen			
ex 0207 39 77 ex 0207 43 63	Legs and cuts thereof, of ducks, with bone in fresh, chilled or frozen			
0207 10 71 0207 10 79 0207 23 51 0207 23 59	Geese not cut in pieces, fresh, chilled or frozen	16 100	1 500	40% of levy
0207 39 53 0207 39 61 0207 43 11 0207 43 23	Cuts of geese, fresh, or frozen			
ex 0207 39 65 ex 0207 43 31	Whole wings, with or without tips, of geese, fresh, chilled or frozen			
ex 0207 39 67 ex 0207 43 41	Backs, necks, backs with necks attached, rumps and wing tips, of geese, fresh, chilled or frozen			
0207 39 71 0207 43 51	Breasts and cuts thereof, of geese, fresh, chilled or frozen			
0207 39 75 0207 43 61	Legs and cuts thereof, of geese, fresh, chilled or frozen			
ex 0207 39 81 0207 43 71	Goose paletots, fresh, chilled or frozen			
0207 50 90	Poultry livers, frozen, other than fatty livers of geese or ducks			
ex 0406 90 86 ex 0406 90 87 ex 0406 90 88	Other cheese: Balaton, Cream White, Hajdu, Marvany, Ovari, Pannonia, Trappista	1 300 <sup>(2)</sup>	500	40% of levy
1601 00 91	Sausages, dry or for spreading, uncooked	5 600	610	40% of levy

CN code	Description	Conventional quotas ( <sup>(1)</sup> ) (in tonnes)	Autonomous quotas (in tonnes)	Rate of duty applicable
1602 41 10	Hams and cuts, thereof, of domestic swine	280	258	40% of levy
2309 10	Dog or cat food; put up for retail sale		10 875	80%

(<sup>(1)</sup>) Existing quotas opened under Community preferential agreements.

(<sup>(2)</sup>) From 1 July 1994 to 30 June 1995.

## POLAND

CN code	Description	Conventional quotas ( <sup>(1)</sup> ) (in tonnes)	Autonomous quotas (in tonnes)	Rate of duty applicable
0104 10 30 0104 10 80	Sheep other than pure-bred breeding animals	8 400	200	free
0104 20 10 0104 20 90	Goats			
0204	Meat of sheep or goats			
0201 0202	Meat of bovine animals	5 200	1 500	40% of levy and duty
0207 23 11 0207 23 19	Ducks not cut in pieces, frozen	1 200	20	50% of levy
0207 23 51 0207 23 59	Geese not cut in pieces, frozen	16 100	280	50% of levy
1602 50 31 1602 50 39	Prepared meat of bovine animals, in airtight containers — corned beef — other	—	440	13%

(<sup>(1)</sup>) Existing quotas opened under Community preferential agreements.

## ROMANIA

CN code	Description	Conventional quotas ( <sup>(1)</sup> ) (in tonnes)	Autonomous quotas (in tonnes)	Rate of duty applicable
0203 11 10 0203 21 10	Carcases and half-carcases of domestic swine	12 640	100	40% of levy
0207 23 51 0207 23 59	Geese not cut in pieces, frozen	143	100	50% of levy
1602 41 10	Hams and cuts thereof, of domestic swine	1 514	224	50% of levy

(<sup>(1)</sup>) Existing quotas opened under Community preferential agreements.

## BULGARIA

CN code	Description	Conventional quotas <sup>(1)</sup> (in tonnes)	Autonomous quotas (in tonnes)	Rate of duty applicable
0207 23 11 0207 23 19	Ducks not cut in pieces, frozen	130	25	50% of levy
0207 23 51 0207 23 59	Geese not cut in pieces, frozen	532	75	50% of levy
ex 0406 90	Cheese other than of cows' milk	—	400	free

<sup>(1)</sup> Existing quotas opened under Community preferential agreements.

## CZECH REPUBLIC

CN code	Description	Conventional quotas <sup>(1)</sup> (in tonnes)	Autonomous quotas (in tonnes)	Rate of duty applicable
0207 23 11 0207 23 19	Ducks not cut in pieces, frozen	200	200	50% of levy
1107 10 99	Malt not roasted, other than of wheat or in the form of flour	33 900	2 140	40% of levy
1602 41 10	Hams and cuts thereof, of domestic swine	455	220	40% of levy

<sup>(1)</sup> Existing quotas under Community preferential agreements.

## SLOVAK REPUBLIC

CN code	Description	Conventional quotas <sup>(1)</sup> (in tonnes)	Autonomous quotas (in tonnes)	Rate of duty applicable
0207 23 11 0207 23 19	Ducks not cut in pieces, frozen	150	100	50% of levy
1107 10 99	Malt not roasted, other than of wheat or in the form of flour	13 600	860	40% of levy

<sup>(1)</sup> Existing quotas opened under Community preferential agreements.

## ANNEX II

## PREFERENTIAL TARIFF QUOTAS OPENED FOR 1995

## HUNGARY

Order No	CN code	Description	Conventional quotas <sup>(1)</sup> (in tonnes)	Autonomous quotas (in tonnes)	Rate of duty applicable
09.5501	ex 0210 90 20 ex 0210 90 80	Poultry dried or smoked		1 550	17 %
09.5555	0602 99	Other live plants		620	12 %
09.5503	0702 00 40	Tomatoes, fresh or chilled, from 1 to 31 October		130	6 %
09.5505	0703 20 00	Garlic		1 560	free
09.5557	0704 90 10 ex 0704 90 90	White cabbages and red cabbages Chinese cabbages from 1 to 31 July		142	10 %
09.5507	0706 90 90	Other edible roots		880	10 %
09.5509	ex 0709 20 00	Asparagus from 16 April to 15 June		250	12 %
09.5133	0709 51 10	Cultivated mushrooms	1 273	2 120	6,4 %
09.5553	0709 51 30 0709 51 50 0709 51 90	Mushrooms, excluding cultivated mushrooms		186	free
09.5139	0709 60 10	Sweet peppers	12 727	1 300	3,6 %
09.5143	0710 22 00	Beans, frozen	2 800	2 336	7,2 %
09.5145	0710 29 00	Other leguminous vegetables, frozen	1 400	500	7,2 %
09.5149	0710 80 85 0710 80 95	Asparagus frozen Other vegetables frozen	14 000	1 930	7,2 %
09.5151	0710 90 00	Mixtures of vegetables, frozen	1 900	784	7,2 %
09.5511	0806 10 30 0806 10 40	Table grapes from 15 July to 31 October		480	12 %
09.5159	0808 10 51 0808 10 53 0808 10 59	Apples other than cider apples from 1 January to 31 March <sup>(4)</sup>	4 200	480	3,2 %
	0808 10 61 0808 10 63 0808 10 69	from 1 April to 30 June <sup>(5)</sup>			2,4 %
	0808 10 71 0808 10 73 0808 10 79	from 1 to 31 July <sup>(5)</sup>			2,4 %
	0808 10 92 0808 10 94 0808 10 98	from 1 August to 31 December <sup>(3)</sup>			5,6 %
09.5513	0808 20	Pears and quinces		770	6,5 %
09.5161	0809 10	Apricots	1 400	2 600	10 %

Order No	CN code	Description	Conventional quotas <sup>(1)</sup> (in tonnes)	Autonomous quotas (in tonnes)	Rate of duty applicable
09.5515	0809 20 29 0809 20 39 0809 20 49	Cherries other than sour cherries, from 1 May to 15 July		150	11 %
09.5163	0809 40 10 0809 40 20 0809 40 30 0809 40 40	Plums <sup>(6)</sup>	5 600	750	3,2 % 3,2 % 6 % min. ECU 3/100 kg 3,2 %
09.5517	ex 0810	Strawberries, raspberries ... and other berries, fresh <sup>(2)</sup>		210	free
09.5519	0811 10 90 ex 0811 20 ex 0811 90	Strawberries, frozen, not containing sugar or other sweetening matter <sup>(2)</sup> Other berries, frozen, excluding cherries		1 190	free
09.5547	1703 90 00	Molasses, other than cane molasses		1 100	free
09.5175	2001 10 00	Cucumbers and gherkins preserved by vinegar or acetic acid	18 800	1 227	8,8 %
09.5521	2005 40 00 2005 59 00	Other vegetables preserved otherwise than by vinegar or acetic acid		900	free
09.5189	2007 10 10 ex 2007 99	Jellies — homogenized preparations with a sugar content exceeding 13 % by weight Sour cherry jam, strawberry jam and raspberry jam	2 550	940	12 %
09.5549	ex 2008 60	Cherries, not containing added spirits, whether or not containing added sugar <sup>(7)</sup> (2)		890	18 %
09.5203	2009 70 19	Apple juice, other	5 600	200	16,8 %
09.5205	2009 80 11 2009 80 19 2009 80 32 2009 80 33 2009 80 35 2009 80 36 2009 80 38 2009 80 50 2009 80 61 2009 80 63 2009 80 69 2009 80 71 2009 80 73 2009 80 79 2009 80 83 2009 80 84 2009 80 86 2009 80 88 2009 80 89 2009 80 95 2009 80 96 2009 80 97 2009 80 99	Juice of any other single fruit or vegetable <sup>(8)</sup>	1 300	200	16,8 % 16,8 % 8,4 % 8,4 % 16,8 % 16,8 % 16,8 % 9,6 % 9,6 % 9,6 % 10 % 8,4 % 8,4 % 8,4 % 8,4 % 8,4 % 8,4 % 8,4 % 8,4 % 8,8 % 8,8 % 8,8 % 8,8 %

(1) Existing quotas opened under Community preferential agreements.

(2) Subject to minimum import price arrangements contained in the Annex hereto.

(3) Minimum duty applicable: MIN ECU 2,4/100 kg net.

(4) Minimum duty applicable: MIN ECU 2,3/100 kg net.

(5) Minimum duty applicable: MIN ECU 1,4/100 kg net.

(6) Minimum duty applicable: MIN ECU 3/100 kg net.

(7) Additional duty on sugar (AD S/Z) applicable in addition to the present rate of duty.

(8) AGR is levied.

## POLAND

Order No	CN code	Description	Conventional quotas <sup>(1)</sup> (in tonnes)	Autonomous quotas (in tonnes)	Rate of duty applicable
09.5525	0205 00	Meat of horses, asses, mules or hinnies		700	free
09.5109	0703 10 19	Onions and shallots, fresh or chilled	137 670	400	4,8 %
09.5117	0704 10 10	Cauliflowers and headed broccoli from 15 April to 30 November	700	750	6,8 %
	0704 10 90	Cauliflowers and headed broccoli from 1 December to 14 April			4,8 %
	0704 20 00	Brussels sprouts			6 %
	0704 90 10	White cabbages and red cabbages			6 %
	0704 90 90	Other			6 %
09.5127	ex 0707 00	Cucumbers and gherkins, fresh or chilled, from 1 November to 15 May	1 400	190	6,4 %
09.5527	0709 40 00	Celery other than celeriac, fresh or chilled		100	2 %
09.5143	0710 22 00	Beans, frozen	12 500	700	7,2 %
09.5149	0710 80 95	Other vegetables, frozen	34 500	400	7,2 %
09.5519	0811 10 90	Strawberries, frozen not containing added sugar or other sweetening matter <sup>(2)</sup>	—	3 400	free
	ex 0811 20 ex 0811 90	Other berries excluding cherries, frozen			
09.5175	2001 10 00	Cucumbers and gherkins, preserved by vinegar or acetic acid	1 800	200	8,8 %
09.5203	2009 70 19	Apple juice, other	7 600	300	16,8 %

<sup>(1)</sup> Existing quotas opened under Community preferential agreements.

<sup>(2)</sup> Subject to minimum import price arrangements contained in the Annex.

## ROMANIA

Order No	CN code	Description	Conventional quotas <sup>(1)</sup> (in tonnes)	Autonomous quotas (in tonnes)	Rate of duty applicable
09.5525	0205 00	Meat of horses, asses, mules or hinnies	—	200	free
09.5541	0810 20	Raspberries, blackberries, mulberries and loganberries fresh <sup>(2)</sup>	—	200	free
	0810 40 30	Fruit of <i>vaccinium myrtillus</i>			
	0810 40 50	Fruit of <i>vaccinium macrocarpon</i> and <i>corymbosum</i>			
09.5543	0810 40 90	Other	—	200	free
09.5545	2003 10 20	Mushrooms of the genus <i>Agaricus</i>	—	200	free
	2003 10 30				

<sup>(1)</sup> Existing quotas opened under Community preferential agreements.

<sup>(2)</sup> Subject to minimum import price arrangements contained in the Annex hereto.

## BULGARIA

Order No	CN code	Description	Conventional quotas <sup>(1)</sup> (in tonnes)	Autonomous quotas (in tonnes)	Rate of duty applicable
09.5525	0205 00	Meat of horses, asses, mules or hinnies	—	200	free
09.5535	0810 20 0810 40 30 0810 40 50 0810 40 90	Raspberries, blackberries, mulberries and loganberries, fresh <sup>(2)</sup> Fruit of <i>vaccinium myrtillus</i> Fruit of <i>vaccinium macrocarpon</i> and <i>vaccinium corymbosum</i> Other	—	400	free
09.5519	0811 10 90 ex 0811 20 ex 0811 90	Strawberries, frozen, not containing added sugar or other sweetening matter <sup>(2)</sup> Other berries, excluding cherries, frozen <sup>(2)</sup>	—	200	free
09.6279	2001 10 00	Cucumbers and gherkins, preserved by vinegar or acetic acid	2 070	100	8,8 %
09.5545	2003 10 20 2003 10 30	Mushrooms of the genus <i>Agaricus</i>		300	free
09.7001	ex 2204 10	Quality sparkling wine in containers holding 2 litres or less	1 100 hl	100 hl	40 % of duty
09.7003	ex 2204 21	Quality wine in containers holding 2 litres or less, other than sparkling wine	247 200 hl	200 hl	40 % of duty

<sup>(1)</sup> Existing quotas opened under Community preferential agreements.

<sup>(2)</sup> Subject to minimum import price arrangements contained in the Annex hereto.

## CZECH REPUBLIC

Order No	CN code	Description	Conventional quotas <sup>(1)</sup> (in tonnes)	Autonomous quotas (in tonnes)	Rate of duty applicable
09.5531	0602 99 91	Flowering plants with buds or flowers, excluding cacti	—	150	free
09.5535	0810 20 0810 40 30 0810 40 50 0810 40 90	Raspberries, blackberries, mulberries and loganberries, fresh <sup>(2)</sup> Fruit of <i>vaccinium myrtillus</i> Fruit of <i>vaccinium macrocarpon</i> and <i>corymbosum</i> Other	—	230	free
09.5537	2001 10 00	Cucumbers and gherkins preserved by vinegar or acetic acid	—	130	free
09.5539	2009 70	Apple juice		100	free

<sup>(1)</sup> Existing quotas opened under Community preferential agreements.

<sup>(2)</sup> Subject to minimum import price arrangements contained in the Annex hereto.

## SLOVAK REPUBLIC

Order No	CN code	Description	Conventional quotas <sup>(1)</sup> (in tonnes)	Autonomous quotas (in tonnes)	Rate of duty applicable
09.5535	0810 20	Raspberries, blackberries, mulberries and loganberries, fresh <sup>(2)</sup>	}	120	free
	0810 40 30	Fruit of <i>vaccinium myrtillus</i>			
	0810 40 50	Fruit of <i>vaccinium macrocarpon</i> and <i>corymbosum</i>			
	0810 40 90	Other			
09.5539	2009 70	Apple juice	.	100	free

<sup>(1)</sup> Existing quotas opened under Community preferential agreements.

<sup>(2)</sup> Subject to minimum import price arrangements contained in the Annex hereto.

## Annex to Annex II

**Minimum import price arrangement  
for certain soft fruit for processing**

1. For each country, minimum import prices are fixed for each marketing year for the following products:

## HUNGARY

ex 0810 20 10 Raspberries, for processing  
 ex 0810 30 10 Blackcurrants, for processing  
 ex 0810 30 30 Red currants, for processing  
 0811 10 90 Strawberries  
 0811 20 19 Raspberries  
 0811 20 31 Raspberries  
 0811 20 39 Blackcurrants  
 0811 20 51 Red currants

## POLAND

0811 10 90 Strawberries  
 0811 20 19 Raspberries  
 0811 20 31 Raspberries  
 0811 20 39 Blackcurrants  
 0811 20 51 Red currants

## ROMANIA

ex 0810 20 10 Raspberries, for processing

## BULGARIA

ex 0811 20 10 Raspberries, for processing  
 0811 20 31 Raspberries  
 0811 20 39 Blackcurrants  
 0811 20 51 Red currants

## CZECH REPUBLIC AND SLOVAK REPUBLIC

0810 20 10 Raspberries

2. In case of non-respect of these minimum import prices, the Community may introduce measures ensuring that the minimum import price is respected for each consignment of the product concerned imported from any of the countries.

## ANNEX III

## AUTONOMOUS COMMUNITY TARIFF QUOTAS OPENED FROM 1 JANUARY TO 30 JUNE 1995

CN code	Description	Quantity	Country of origin	Rate of duty applicable
ex 0201 30 ex 0202 20	High quality fresh, chilled or frozen meat of bovine animals	200 tonnes		20 %
1006 40 00	Broken rice intended for the production of foodstuffs under tariff heading 1901 10	326 tonnes	Thailand	free
ex 2309 10 ex 2309 90	Dog and cat food with a sugar content of less than 40 % by weight, with a starch content of less than 40 % by weight and with a lactose content of less than 2 % by weight	699 tonnes 354 tonnes 28 tonnes	Hungary Switzerland other countries	15 %
ex 2203 00 10 ex 2203 00 90 (order No 09.5551)	Beer made from malt, with an original malt content of less than 20 %, in containers	389 hectolitres	Czech Republic	ECU 6,4/100 kg