

## I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2290/2000  
of 9 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 Bulgaria**

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 Republic of Bulgaria, of the other part <sup>(1)</sup>, provides for certain concessions for certain agricultural products originating in Bulgaria.
- (2) Improvements to the preferential agreements of the Europe Agreement with Bulgaria 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 Republic of Bulgaria, 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 <sup>(2)</sup>. The Council approved the abovementioned Protocol on behalf of the Community by Decision 1999/278/EC <sup>(3)</sup>.
- (3) In accordance with the directives adopted by the Council on 30 March 1999, the Commission and Bulgaria concluded on 18 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 Bulgaria 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 Bulgaria.
- (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 Bulgaria.
- (7) Bulgaria will also undertake all the necessary legislative provisions, on an autonomous and transitional basis, in order to implement simultaneously the commitments made by Bulgaria as a result of the conclusion of the negotiations.
- (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 <sup>(4)</sup>.
- (9) Commission Regulation (EC) 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 <sup>(5)</sup> 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 Bulgaria as set out in Annexes A(a) and A(b) to this Regulation shall replace those set out in Annex X to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part.

<sup>(1)</sup> OJ L 358, 31.12.1994, p. 3.

<sup>(2)</sup> OJ L 112, 29.4.1999, p. 3.

<sup>(3)</sup> OJ L 112, 29.4.1999, p. 1.

<sup>(4)</sup> OJ L 184, 17.7.1999, p. 23.

<sup>(5)</sup> OJ L 253, 11.10.1993, p. 1. Regulation at last amended by Commission 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 Articles 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 X to the Europe Agreement in accordance with the provisions of Council Regulation (EC) No 3066/95 <sup>(1)</sup> before the entry into force of this Regulation shall be fully counted against the quantities provided for in the Annex A(b) to this Regulation.

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

Done at Luxembourg, 9 October 2000.

*For the Council*  
*The President*  
H. VÉDRINE

#### Article 3

1. The Commission shall be assisted by the committee instituted by Article 23 of Council Regulation (EEC) No 1766/92 on the common organisation of the market in cereals <sup>(2)</sup>, 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.

<sup>(1)</sup> OJ L 328, 30.12.1995, p. 31. Regulation at last amended by Council Regulation (EC) No 2435/1998 (OJ L 303, 13.11.1998, p. 1).

<sup>(2)</sup> OJ L 181, 1.7.1992, p. 21.

## ANNEX A(a)

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

CN codes <sup>(1)</sup>	CN codes <sup>(1)</sup>	CN codes <sup>(1)</sup>	CN codes <sup>(1)</sup>	CN codes <sup>(1)</sup>
0101 20 10	0604 91 29	0807 19 00	1209 91 10	1513 29 19
0104 20 10	0604 91 41	0808 20 90	1209 91 90	1513 29 30
0106 00 10	0604 91 49	0810 40 30	1209 99 91	1513 29 50
0106 00 20	0604 91 90	0810 40 50	1209 99 99	1513 29 91
	0604 99 90	0810 40 90	1210 10 00	1513 29 99
0205 00 11		0810 50 00	1210 20 10	1514 10 10
0205 00 19	0701 10 00	0810 90 85	1210 20 90	1514 10 90
0205 00 90	0701 90 10	0811 90 70	1212 10 10	1514 90 10
0206 80 91	0703 10 11	0811 90 85	1212 10 99	1514 90 90
0206 90 91	0703 10 19	0812 10 00	1214 90 10	1515 11 00
0207 27 91	0703 10 90	0812 90 40		1515 19 10
0207 35 91	0703 20 00	0812 90 50		1515 19 90
0207 36 89	0703 90 00	0812 90 60	1302 19 05	1515 21 10
0208 10 11	0708 10 00	0812 90 95		1515 21 90
0208 10 19	0709 51 30	0813 10 00	1502 00 90	1515 29 10
0208 20 00	0709 51 50	0813 20 00	1503 00 19	1515 29 90
0208 90 10	0709 51 90	0813 30 00	1503 00 90	1515 30 90
0208 90 50	0709 52 00	0813 40 10	1504 10 10	1515 50 11
0208 90 60	0709 60 99	0813 40 30	1504 10 99	1515 50 19
0208 90 80	0709 90 40	0813 40 95	1504 20 10	1515 50 91
0210 90 10	0709 90 50	0813 50 15	1504 30 10	1515 50 99
0210 90 79	0710 80 59	0813 50 19	1507 10 10	1515 90 29
	0711 10 00	0813 50 39	1507 10 90	1515 90 39
0407 00 90	0711 30 00	0813 50 91	1507 90 10	1515 90 40
0410 00 00	0711 90 10	0813 50 99	1507 90 90	1515 90 51
	0711 90 70	0814 00 00	1508 10 90	1515 90 59
0601 10 10	0712 20 00		1508 90 10	1515 90 60
0601 10 20	0712 90 05	0901 12 00	1508 90 90	1515 90 91
0601 10 30	0712 90 50	0901 21 00	1509 10 10	1515 90 99
0601 10 40	0712 90 90	0901 22 00	1509 10 90	1516 20 95
0601 10 90	0713 50 00	0902 10 00	1509 90 00	1516 20 96
0601 20 30	0713 90 10	0904 12 00	1510 00 10	1516 20 98
0601 20 90	0713 90 90	0904 20 10	1510 00 90	1518 00 31
0602 10 90	0714 20 10	0904 20 90	1511 10 90	1518 00 39
0602 20 90	0714 20 90	0905 00 00	1511 90 11	1522 00 91
0602 30 00	0714 90 90	0907 00 00	1511 90 19	1602 31 11
0602 40 10		0910 20 90	1511 90 91	1602 31 19
0602 40 90		0910 40 13	1511 90 99	1602 31 30
0602 90 10	0802 12 90	0910 40 19	1512 11 99	1602 31 90
0602 90 30	0802 21 00	0910 40 90	1512 19 99	
0602 90 41	0802 22 00	0910 91 90	1512 21 10	2001 90 20
0602 90 45	0802 31 00	0910 99 99	1512 21 90	2005 70 10
0602 90 49	0802 32 00		1512 29 10	2005 70 90
0602 90 51	0802 40 00	1006 10 10	1512 29 90	2005 90 10
0602 90 59	0802 50 00	1007 00 10	1513 11 10	2008 19 11
0602 90 70	0802 90 50		1513 11 91	2008 19 13
0602 90 91	0802 90 60	1106 10 00	1513 11 99	2008 19 51
0602 90 99	0802 90 85	1106 30 90	1513 19 11	2008 19 59
0603 10 10	0804 20 10		1513 19 19	2008 92 72
0603 10 20	0804 20 90	1208 10 00	1513 19 30	2009 11 19
0603 10 30	0806 20 11	1209 11 00	1513 19 91	2009 19 19
0603 10 40	0806 20 12	1209 19 00	1513 19 99	2009 20 19
0603 10 50	0806 20 18	1209 21 00	1513 21 11	2009 30 19
0603 10 80	0806 20 91	1209 23 80	1513 21 19	2009 40 19
0603 90 00	0806 20 92	1209 29 50	1513 21 30	2302 50 00
0604 10 90	0806 20 98	1209 29 80	1513 21 90	2306 90 19
0604 91 21	0807 11 00	1209 30 00	1513 29 11	2308 90 90

<sup>(1)</sup> 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 October 1999.

## ANNEX A(b)

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

(MFN = most favoured nation duty)

Order No	CN code	Description <sup>(1)</sup>	Applicable duty (% of MFN) <sup>(2)</sup>	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	<sup>(3)</sup>
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	20	153 000 head	0	<sup>(3)</sup>
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	<sup>(4)</sup>
09.4575	0104 10 30 0104 10 80 0104 20 90  0204	Live sheep or goats  Meat of sheep or goats	free	7 000	0	<sup>(5)</sup>
09.4651	0201 0202	Meat of bovines, fresh, chilled or frozen	20	250	0	
09.4671	ex 0203  0210 11 0210 12 0210 19  1601 00  1602 41 1602 42 1602 49	Meat of domestic swine, fresh, chilled or frozen  Meat of swine, salted, in brine, dried or smoked  Sausages and similar products  Prepared or preserved meat, meat offal or blood of swine	free	1 500	500	<sup>(6)</sup> , <sup>(7)</sup>
09.4672	ex 0207	Meat and edible offal, of the poultry of heading No 0105, excluding 0207 27 91, 0207 35 91, 0207 36 89	free	6 050	0	
09.4660	0406	Cheese and curd	free	5 500	300	<sup>(8)</sup>
09.4656	0408 91 80 0408 99 80	Whole eggs, dried Other whole eggs, not in shell	20	750	0	
09.5561	0409 00 00	Natural honey	free	3 000	0	
09.6223	0701 90 50 0701 90 90	Potatoes	free 20	3 125	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
09.6225	0702 00 00	Tomatoes	free	6 250	100	(8), (9)
09.6231	ex 0707 00 05 0707 00 90	Cucumbers, from 1 November to 15 May Gherkins	20	8 375	0	(8)
	ex 0707 00 05	Cucumbers, from 16 May to 31 October	80	unlimited		(8)
09.6233	0709 60 10	Sweet peppers	free	2 000	0	
	ex 0709 30 00	Aubergines, from 1 January to 31 March	56	unlimited		
	ex 0709 40 00	Celery, other than celeriac, from 1 January to 31 March	56			
	ex 0709 90 90	Other, except parsley, from 1 January to 31 March	56			
09.6161	0710 21 00 0710 22 00 0710 29 00 0710 80 51 0710 80 69 0710 80 85 0710 80 95	Frozen vegetables	free	4 000	0	
	0711 40 00	Cucumbers and gherkins	80	unlimited		
09.4725	0711 90 40 2003 10 20 2003 10 30	Mushrooms of the genus <i>Agaricus</i>	8,4 % <i>ad valorem</i>	1 750	0	
	ex 0712 30 00	Mushrooms, except cultivated mushrooms	37	unlimited		
09.6245	0806 10	Fresh grapes	20	625	0	(8)
09.6247	0808 10	Apples	free	1 125	400	(8), (9)
09.6249	0808 20 10 0808 20 50	Pears	20	3 125	0	(8) (8)
09.6253	0809 10 00	Abricots	20	750	0	(8)
	0809 20 05	Sour cherries	73	unlimited		(8)
09.5731	0809 20	Cherries	free	1 000	0	(8)
09.6255	0809 30	Peaches	20	1 000	0	(8)
09.6162	0809 40 05	Plums	free	9 375	0	(8)
	0809 40 90	Sloes	47	unlimited		
09.6261	0810 10 00	Strawberries	20	2 090	0	(7)
	0810 20 10	Raspberries	41	unlimited		(7)
	0810 30 10	Blackcurrants	41			(7)
	0810 30 30	Redcurrants	41			(7)

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
	0811 10 90 0811 20 31 0811 20 59 0811 20 90 0811 90 50 ex 0811 90 95	Strawberries Raspberries Blackberries and mulberries Other berries Bilberries Quinces	36 39 53 33 47 56	unlimited		(7) (7)
09.5573	0812 90 10	Apricots, provisionally preserved	20	1 250	0	
09.4663	1001 90 99	Common wheat	20	2 750	0	
09.4664	1008 20 00	Millet	20	1 750	0	
09.6275	1512 11 91 1512 19 91	Sunflower-seed oil	free	500	0	
	1602 20 11 1602 20 19	Goose or duck liver	69 69	unlimited		
09.6277	1602 32 1602 39	Prepared or preserved meat of poultry	free	1 000	0	
09.6279	2001 10 00	Cucumbers, preserved	20	3 125	0	
09.6281	2002	Preserved or prepared tomatoes	free	16 500	200	(9)
09.5545	2003 10 20 2003 10 30	Mushrooms of the genus 'Agaricus'	free	375	0	
09.5615	2003 10 80	Mushrooms, prepared or preserved otherwise than by vinegar or acetic acid	free	250	0	
	2007 99 10 2007 99 31	Plum purée and paste Cherry jam	86 83	unlimited		(8)
09.6285	2007 99 33	Strawberry jam	20	250	0	(8)
	ex 2007 99 39  ex 2007 99 58  2007 99 93 ex 2007 99 98	Fruit preparations, with sugar content >30 % by weight. Fruits within heading Nos 0801, 0803, 0804 (except figs and pineapples), 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90  Fruit preparations, with sugar content exceeding 13 % but not exceeding 30 % by weight. Fruits within heading Nos 0801, 0803, 0804 (except figs and pineapples), 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90  Of tropical fruits  Other. Fruits within heading Nos 0801, 0803, 0804 (except figs and pineapples), 0807 20 00, 0810 20 90, 0810 30 90, 0810 40 10, 0810 40 50, 0810 40 90, 0810 90	27	unlimited		(8)

Order No	CN code	Description <sup>(1)</sup>	Applicable duty (% of MFN) <sup>(2)</sup>	Annual quantity from 1.7.2000 to 30.6.2001 (tonnes)	Yearly increase as from 1.7.2001 (tonnes)	Specific provisions
09.6287	2008 50 71 2008 50 79 2008 50 92 2008 50 94	Apricots, preserved	20	500	0	
	2008 60 61	Sour cherries, containing added sugar, in immediate packing of a net content not exceeding 1 kg	70	unlimited		
09.6289	2008 60 69	Cherries, preserved	20	125	0	
09.6291	2008 70 79	Peaches, preserved	20	750	0	
09.6293	2008 80 70	Strawberries, preserved	20	650	0	
09.6295	2008 99 55	Plums, preserved	20	250	0	
09.6297	2009 70 19	Apple juice, concentrated, other	20	5 500	0	
	2009 70 30 2009 70 93 2009 70 99	Apple juice of a density not exceeding 1,33 g/cm <sup>3</sup> at 20 °C	48	unlimited		
09.4658	2309 90 31 2309 90 41	Preparations of a kind used in animal feeding	20	3 500	0	
09.6299	2401 10 60 2401 10 70 2401 20 60 2401 20 70	Tobacco	20	7 500	0	

<sup>(1)</sup> 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.

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

<sup>(3)</sup> The quota for this product is opened for Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and the Slovak Republic. 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, not withstanding any other rights given under the Agreement.

<sup>(4)</sup> The quota for this product is opened for Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and the Slovak Republic.

<sup>(5)</sup> 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.

<sup>(6)</sup> Excluding tenderloin presented alone.

<sup>(7)</sup> Subject to minimum import price arrangements contained in the Annex to the present Annex.

<sup>(8)</sup> The reduction applies only to the *ad valorem* part of the duty.

<sup>(9)</sup> This concession is only applicable to products not benefiting from any kind of export subsidies.

## 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 Bulgaria:

CN Code	Description	Minimum import price (EUR/100 kg net)
ex 0810 10 00	Strawberries, fresh, intended for processing	51,4
ex 0810 20 10	Raspberries, fresh, intended for processing	63,1
ex 0810 30 10	Blackcurrants, fresh, intended for processing	38,5
ex 0810 30 30	Redcurrants, fresh, intended for processing	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 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

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 Bulgarian authorities in order to enable them to correct the situation.
4. At the request of either the Community or Bulgaria, 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.