

## COUNCIL DECISION

of 26 May 2003

**on the conclusion of a Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, acting within the framework of the European Union, of the one part, and the Republic of Slovenia, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions**

(2003/452/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133, in conjunction with the first sentence of the first subparagraph of Article 300(2) 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, acting within the framework of the European Union, of the one part, and the Republic of Slovenia, of the other part (hereinafter referred to as the Europe Agreement) <sup>(1)</sup>, provides for certain reciprocal trade concessions for certain agricultural products.
- (2) Article 21(5) of the Europe Agreement provides that the Community and Slovenia are to examine product by product and on an orderly and reciprocal basis the possibilities of granting each other further concessions.
- (3) Improvements to the preferential arrangements were provided for as a result of negotiations to liberalise agricultural trade concluded in 2000. On the Community side, these were implemented from 1 July 2000 by Council Regulation (EC) No 2475/2000 of 7 November 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 Slovenia <sup>(2)</sup>. This adjustment of the preferential arrangements has not yet been incorporated in the Europe Agreement in the form of an Additional Protocol.
- (4) Negotiations for further improvements to the preferential arrangements of the Europe Agreement were concluded on 25 July 2002.
- (5) The new Protocol to the Europe Agreement adjusting the trade aspects of the Europe Agreement (hereinafter referred to as the Protocol) should be approved with a view to consolidating all concessions in agricultural trade between the two sides, including the results of the negotiations concluded in 2000 and 2002.

- (6) Commission Regulation (EEC) 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>(3)</sup> has codified the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations. Certain tariff quotas under this Decision should therefore be administered in accordance with those rules.

- (7) The measures necessary for the implementation of this Decision should be adopted 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>.

- (8) As a result of the aforementioned negotiations, Regulation (EC) No 2475/2000 has effectively lost its substance and should therefore be repealed,

HAS DECIDED AS FOLLOWS:

*Article 1*

The attached Protocol adjusting the trade aspects of the Europe Agreement establishing an association between the European Communities and their Member States, acting within the framework of the European Union, of the one part, and the Republic of Slovenia, of the other part, to take account of the outcome of negotiations between the parties on new mutual agricultural concessions, is hereby approved on behalf of the Community.

*Article 2*

The President of the Council is authorised to designate the person empowered to sign the Protocol on behalf of the Community and make the notification of approval provided for in Article 3 of the Protocol.

*Article 3*

1. Upon this Decision taking effect, the arrangements provided for in the Annexes of the Protocol attached to this Decision shall replace those referred to in Annexes VI and VII as referred to in Article 21(2) and 21(4) of the Europe Agreement.

<sup>(1)</sup> OJ L 51, 26.2.1999, p. 3.

<sup>(2)</sup> OJ L 286, 11.11.2000, p. 15.

<sup>(3)</sup> OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 444/2002 (OJ L 68, 12.3.2002 p. 11).

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

2. The Commission shall adopt rules for the application of the Protocol in accordance with the procedure referred to in Article 5.

*Article 4*

The order numbers as attributed to the tariff quotas in the Annex may be changed by the Commission in accordance with the procedure referred to in Article 5(2). Tariff quotas with an order number below 09.4000 shall be administered by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

*Article 5*

1. The Commission shall be assisted by the Committee for Cereals instituted by Article 23 of Regulation (EEC) No 1766/92 <sup>(1)</sup> or, where appropriate, by the committee instituted by the relevant provisions of the other Regulations on the common organisation of agricultural markets.

2. Where reference is made to this paragraph, 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 6*

Regulation (EC) No 2475/2000 shall be repealed from the date of entry into force of the Protocol.

Done at Brussels, 26 May 2003.

*For the Council*  
*The President*  
G. DRYS

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<sup>(1)</sup> OJ L 181, 1.7.1992, p. 21.

## ANNEX

**Order numbers for EU tariff quotas for products originating in the Republic of Slovenia**

(as referred to in Article 4)

MFN = Most Favoured Nation duty)

Quota order No	CN code	Description	Applicable duty (% of MFN)
09.4082	ex 0201 10 00 0201 20 20 0201 20 30 0201 20 50 0201 30	Meat of bovine animals, fresh or chilled: Carcases and half-carcases, other than high quality beef and veal Compensated quarters Forequarters, unseparated/separated Hindquarters, unseparated/separated Boneless	20
09.1735	0207 11 0207 12	Poultry not cut in pieces, fresh or chilled ( <i>Gallus domesticus</i> ) Poultry not cut in pieces, frozen ( <i>Gallus domesticus</i> )	20
09.1738	0207 13 10	Fresh or chilled boneless cuts of fowls of the species <i>Gallus domesticus</i>	free
09.1739	0207 14 10	Frozen boneless cuts of fowls of the species <i>Gallus domesticus</i>	free
09.1736	0207 13 20 0207 13 30 0207 13 40 0207 13 50 0207 13 60 0207 13 70  0207 14 20 0207 14 30 0207 14 40 0207 14 50 0207 14 60 0207 14 70	Poultry cuts with bone in and offal, fresh or chilled ( <i>Gallus domesticus</i> )      Poultry cuts with bone in and offal (other than liver), frozen ( <i>Gallus domesticus</i> )	free
09.4113	0210 11 31	Domestic swine hams and cuts thereof, with bone in, dried or smoked	free
09.4121	0210 12 19	Domestic swine, bellies and cuts thereof, dried or smoked	free
09.4114	0210 19 81	Dried or smoked boneless domestic swine meat	free
09.4086	0402 10 0402 21	Skimmed milk powder Whole milk powder	20
09.4087	0403 10	Yogurts	20
09.4088	0406 90	Other cheese	free
09.1740	0407 00 19	Eggs of poultry in shell, for hatching	free
09.1741	0407 00 30	Eggs of poultry in shell, not for hatching	free
09.1742	0408 19 81	Egg yolks, liquid	free
09.1743	0408 19 89	Egg yolks, other than liquid (including frozen)	free
09.1744	0408 99 80	Birds' eggs, not in shell, other	free

Quota order No	CN code	Description	Applicable duty (% of MFN)
09.1745	0409 00 00	Natural honey	free
09.1532	0701 90 10	Potatoes, fresh or chilled, other than seed potatoes	20
09.1731	0701 90 90	Potatoes, fresh or chilled, other than seed potatoes, other	free
09.1533	0704 90 10	White cabbages and red cabbages, other	free
09.1534	0705 11 00	Cabbage lettuce	20
09.1535	0706 10 00	Carrots and turnips	free
09.1732	0808 10	Apples, fresh	free
09.1537	ex 0808 20 50	Pears ( from 1 August to 31 December)	20
09.1746	1001 10 00 1001 90 91 1001 90 99 1103 11 90 1103 20 60	Durum wheat Common wheat and meslin seed Wheat and meslin, other Common wheat and spelt groats and meal Wheat pellets	free
09.1747	1002 00 00 1102 10 00 1103 19 10 1103 20 10	Rye Rye flour Rye groats and meal Rye pellets	free
09.1748	1003 00 1102 90 10 1103 19 30 1103 20 20	Barley Barley flour Barley groats and meal Barley pellets	free
09.1749	1005 10 90 1005 90 00 1102 20 1103 13 1103 20 40	Other than hybrid maize seed Maize other than seed Maize flour Groats and meal of maize Maize pellets	free
09.4089	ex 1601 00 91 ex 1601 00 99	Sausages and similar products, of meat, offal or blood; other than of poultry	free
09.4120	ex 1601 00	Sausages and similar products, of meat, offal or blood; of poultry	free
09.1737	1602 32 19 1602 39 29	Prepared or preserved meat of poultry	free
09.4122	ex 1602 50	Other prepared meat, meat offal or blood of bovine animals	free
09.1733	2002	Tomatoes, prepared or preserved otherwise than by vinegar or acetic acid	free
09.1541	ex 2004 90 30	Sauerkraut, frozen	free

Quota order No	CN code	Description	Applicable duty (% of MFN)
09.1542	ex 2008 60 39 2008 60 51 2008 60 61 2008 60 71 2008 60 91	Sweet cherries for chocolate products Sour cherries	free
09.1750	2009 71 2009 79 30 2009 79 93 2009 79 99	Apple juice	free
09.1543	2009 80 71	Cherry juice	20
09.1544	2009 90 11 2009 90 19 2009 90 31 2009 90 39	Mixture of juices	20