



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 07.09.2000
COM(2000) 528 final

2000/0219 (ACC)

Proposal for a

COUNCIL REGULATION

**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**

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. On 30 March 1999, the Council authorised the Commission to open negotiations for additional mutual agricultural concessions in the framework of the Europe Agreements between the European Community and the associated Central and Eastern European Countries.
2. The negotiations, which have been undertaken in the overall context of the accession process, have been based on Article 21(5) of the Europe Agreement with Slovenia. Article 21(5) provides that the Community and Slovenia shall examine in the Association Council, product by product and on an orderly and reciprocal basis, the possibility of granting each other further concessions taking account of the volume of trade in agricultural products between them, of their particular sensitivity, of the rules of common agricultural policy of the Community and of the rules of the agricultural policy of the associated country.
3. According to the Council decision, the negotiations should lead to a fair equilibrium, both in terms of exports and imports, between the interests of the European Community and its Member States and those of the associated countries.
4. The result of the negotiations between the Commission and the Republic of Slovenia on additional agricultural concessions provides for an immediate and full liberalisation of the imports into the Community of some agricultural products, as well as the exports of those products from the Community to the Republic of Slovenia. The scope for concessions within tariff quotas has also been enlarged compared to the reciprocally currently granted concession. As a consequence of the new agreement approximately two thirds of the bilateral trade of agricultural products will be free of custom duties.
5. As a result of the adjustments agreed with Slovenia, an Additional Protocol to the Europe Agreement with Slovenia has to be established. A swift implementation of the adjustments forms an essential part of the results of the negotiations for the conclusion of an Additional Protocol to the Europe Agreement with Slovenia. Because of the duration of the procedure for the adoption of such a new protocol, an Additional Protocol cannot enter into force on 1 July 2000.
6. A Council Regulation, made on an autonomous and transitional basis, would enable such a swift implementation of the results of the negotiations. This present Council Regulation would be replaced by the additional protocol on the entry into force of the latter.
7. The Republic of Slovenia will also take all necessary legislative provisions, on an autonomous and transitional basis, in order to implement simultaneously the engagements of the Republic of Slovenia issued from the results of the negotiations.
8. The purpose of this proposal is to permit the early implementation, from 1 July 2000, of the results of the agricultural negotiations for the conclusion of an Additional Protocol to the Europe Agreement with Slovenia. It provides for the amendments of the Annexes of the Europe Agreement with Slovenia, which set out the concessions granted by the Community on imports originating in Slovenia.
9. The Council is requested to adopt the proposed Regulation.

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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 concluded between the European Communities and their Member States, of the one part, and the Republic of Slovenia, of the other part¹, provide for certain concessions for certain agricultural products originating in Slovenia.
- (2) In accordance with the directives adopted by the Council on 30 March 1999, the Commission and the Republic of Slovenia concluded on 22 May 2000 negotiations on an Additional Protocol to the Europe Agreement.
- (3) The Additional Protocol, which provide for additional agricultural concessions, will be based on Article 21(5) of the Europe Agreement, establishing that the Community and Slovenia shall examine in the Association Council, product by product and on an orderly and reciprocal basis, the possibility of granting each other further concessions.
- (4) A swift implementation of the adjustments forms an essential part of the results of the negotiations for the conclusion of an Additional Protocol to the Europe Agreement with Slovenia.
- (5) 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 Slovenia
- (6) The Republic of Slovenia will take all useful legislative provisions, on an autonomous and transitional basis, in order to enable a rapid and simultaneous implementation of the adaptation of the agricultural concessions of the Republic of Slovenia provided for in the Europe Agreement.

¹ OJ. L 51, 26.2.1999, p. 3.

- (7) Since the measures necessary for the implementation of this Regulation are management measures within the meaning of Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission², they should be adopted by use of the management procedure provided for in Article 4 of that Decision.
- (8) Commission Regulation (EC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code³ 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 Slovenia as set out in Annex A(a) and A(b) to this Regulation shall replace those set out in Annex VI to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Slovenia, of the other part.
2. On the entry into force of the additional protocol adjusting the Europe Agreement referred to in paragraph 1, the concessions provided for in that Protocol shall replace those referred to in Annex 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 below 09.4000 shall be administered by the Commission in accordance with articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.
2. Quantities of goods which have been released for free circulation in the Community from 1 January 2000 until 30 June 2000 with the benefit of a preferential duty rate provided for in Annex VI of the Europe Agreement, in the framework of the tariff quotas with order numbers 09.1532, 09.1533, 09.1534, 09.1535, 09.1537, 09.1541, 09.1542, 09.1543, 09.1544, 09.4082, 09.4083, 09.4084, 09.4086, 09.4087, 09.4088, 09.4089 and 09.4090 shall be fully taken into account for charging on the tariff quotas with the same order numbers provided for in Annex A(b) of this Regulation.

Article 3

1. The Commission shall be assisted by the committee instituted by Article 23 of Council Regulation (EC) N° 1766/92 on the common organisation of the market of

² OJ L 184, 17.7.1999, p. 23.

³ OJ L 253, 11.10.1993, p. 1. Regulation at last amended by Regulation (EC) No 1662/1999 (OJ L 197, 29.7.1999, p. 25).

cereals⁴ or, where appropriate, 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, the management procedure laid down in Article 4 of Decision 1999/468/EC shall apply, in compliance with Article 7(3) thereof.
3. The period provided for in Article 4(3) of Decision 1999/468/EC shall be one month.

Article 4

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply from 1 July 2000.

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

Done at Brussels,

For the Council
The President

⁴ OJ L 181, 1.7.1992, p. 21.

ANNEX A(a)

Custom duties on imports applicable in the Community to products originating in the Republic of Slovenia and listed below shall be abolished

CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾	CN code ⁽¹⁾
0101 20 10	0602 90 70	0807 19 00	1209 29 80	1513 19 91	2008 92 72
0104 20 10	0602 90 91	0808 20 90	1209 30 00	1513 19 99	
0106 00 10	0602 90 99	0810 40 30	1209 91 10	1513 21 11	2302 50 00
0106 00 20	0603 10 80	0810 40 50	1209 91 90	1513 21 19	2306 90 19
	0603 90 00	0810 40 90	1209 99 91	1513 21 30	2308 90 90
0205 00 11	0604 10 90	0810 50 00	1209 99 99	1513 21 90	2309 90 51
0205 00 19	0604 91 21	0810 90 85	1210 10 00	1513 29 11	2309 90 93
0205 00 90	0604 91 29	0811 90 70	1210 20 10	1513 29 19	2309 90 95
0206 80 91	0604 91 41	0811 90 85	1210 20 90	1513 29 30	
0206 90 91	0604 91 49	0812 10 00	1211 90 30	1513 29 50	
0207 13 91	0604 91 90	0812 90 40	1212 10 10	1513 29 91	
0207 14 91	0604 99 90	0812 90 60	1212 10 99	1513 29 99	
0207 26 91		0812 90 70	1214 90 10	1514 10 10	
0207 27 91	0701 10 00	0812 90 95		1514 10 90	
0207 35 91	0703 10 11	0813 10 00	1302 19 05	1514 90 10	
0207 36 89	0709 51 30	0813 30 00		1515 11 00	
0208 10 11	0709 51 50	0813 40 10	1502 00 90	1515 19 10	
0208 10 19	0709 51 90	0813 40 95	1503 00 19	1515 19 90	
0208 20 00	0709 90 40	0813 50 15	1503 00 90	1515 21 10	
0208 90 10	0711 30 00	0813 50 19	1504 10 10	1515 21 90	
0208 90 50	0712 30 00	0813 50 39	1504 10 99	1515 29 10	
0208 90 60	0713 50 00	0813 50 91	1504 20 10	1515 29 90	
0208 90 80	0713 90 10	0813 50 99	1504 30 10	1515 30 90	
0210 90 10	0713 90 90	0814 00 00	1507 10 10	1515 50 11	
0210 90 79	0714 20 10		1507 10 90	1515 50 19	
	0714 20 90	0901 12 00	1507 90 10	1515 50 91	
0407 00 90	0714 90 90	0902 10 00	1508 10 90	1515 50 99	
0410 00 00		0904 12 00	1508 90 10	1515 90 29	
	0802 11 90	0904 20 10	1508 90 90	1515 90 39	
0601 10 10	0802 12 90	0904 20 90	1511 10 90	1515 90 40	
0601 10 20	0802 21 00	0905 00 00	1511 90 11	1515 90 51	
0601 10 30	0802 22 00	0907 00 00	1511 90 19	1515 90 59	
0601 10 40	0802 31 00	0910 20 90	1511 90 91	1515 90 60	
0601 10 90	0802 32 00	0910 40 13	1511 90 99	1515 90 91	
0601 20 30	0802 40 00	0910 40 19	1512 11 10	1515 90 99	
0601 20 90	0802 50 00	0910 40 90	1512 11 91	1516 20 95	
0602 10 90	0802 90 50	0910 91 90	1512 11 99	1516 20 96	
0602 20 90	0802 90 60	0910 99 99	1512 19 10	1516 20 98	
0602 30 00	0802 90 85		1512 21 10	1518 00 31	
0602 40 10	0804 20 10	1006 10 10	1512 21 90	1518 00 39	
0602 40 90	0804 20 90	1007 00 10	1512 29 10	1522 00 91	
0602 90 10	0806 20 11		1512 29 90		
0602 90 30	0806 20 12	1208 10 00	1513 11 10	2001 90 20	
0602 90 41	0806 20 18	1209 11 00	1513 11 91	2005 90 75	
0602 90 45	0806 20 91	1209 19 00	1513 11 99	2008 19 11	
0602 90 49	0806 20 92	1209 21 00	1513 19 11	2008 19 13	
0602 90 51	0806 20 98	1209 23 80	1513 19 19	2008 19 51	
0602 90 59	0807 11 00	1209 29 50	1513 19 30	2008 19 59	

⁽¹⁾ As defined in Commission regulation (EC) N° 2204/1999 of 12 October 1999, amending Annex I to Council Regulation (EEC) N° 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 278, 28 October 1999, p. 1).

ANNEX A(b)

**Imports into the Community of the following products originating in
the Republic of Slovenia shall be subject to the concessions set out below**

(MFN= Most Favoured Nation duty)

Order N°	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) (2)	ANNUAL QUANTITY for 2000 (tonnes)	ANNUAL QUANTITY for 2001 (tonnes)	ANNUAL QUANTITY for successive years (tonnes)	Specific provis- ions
	0101 19 90	Live horses, other than for slaughter	67	Unlimited	Unlimited	Unlimited	
09.4082	ex 0201 10 00 0201 20 20 0201 20 30 0201 20 50 0201 30	Meat of bovine animals, fresh, chilled or frozen: Carcases and half-carcases, other than high quality beef and veal Compensated quarters Forequarters, unseparated/separated Hindquarters, unseparated/separated Boneless	20	9 100	9 800	10 500	
09.4083	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	1 560	1 680	1 800	
09.4111	0207 13 10	Fresh or chilled boneless cuts of fowls of the species <i>Gallus domesticus</i>	free	250	500	500	(5)
09.4112	0207 14 10	Frozen boneless cuts of fowls of the species <i>Gallus domesticus</i>	free	250	500	500	(5)
09.4084	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>)	20	1 300	1 400	1 500	(3)
09.4113	0210 11 31	Domestic swine hams and cuts thereof, with bone in, dried or smoked	free	200	400	400	(5)
09.4114	0210 19 81	Dried or smoked boneless domestic swine meat	free	75	150	150	(5)
09.4086	0402 10 0402 21	Skimmed milk powder Whole milk powder	20	1 300	1 400	1 500	
09.4087	0403 10	Yogurts	20	650	700	750	
09.4088	0406 90	Cheese (Emmentaler, Edamer, Gouda, Sbrinz-type)	20	390	420	450	
09.4115	0407 00 19	Eggs of poultry in shell, for hatching	free	100	200	200	(5)
09.4116	0407 00 30	Eggs of poultry in shell, not for hatching	free	68	135	135	(5)
09.4117	0408 19 81	Egg yolks, liquid	free	225	450	450	(5)
09.4118	0408 19 89	Egg yolks, other than liquid (including frozen)	free	75	150	150	(5)
09.4119	0408 99 80	Birds' eggs, not in shell, other	free	75	150	150	(5)
	0409 00 00	Natural honey	93	Unlimited	Unlimited	Unlimited	

Order N°	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) (2)	ANNUAL QUANTITY for 2000 (tonnes)	ANNUAL QUANTITY for 2001 (tonnes)	ANNUAL QUANTITY for successive years (tonnes)	Specific provis- ions
09.1532	0701 90 10 0701 90 50	Potatoes, fresh or chilled, other than seed potatoes	20	195	210	225	
09.1731	0701 90 90	Potatoes, fresh or chilled, other than seed potatoes, other	free	2 500	5 000	5 000	(5)
09.1533	0704 90	Cabbages and cauliflowers, other	20	130	140	150	
09.1534	0705 11 00	Cabbage lettuce	20	130	140	150	
09.1535	0706 10 00	Carrots and turnips	20	1 040	1 120	1 200	
	ex 0707 00 05 ex 0711 40 00	Cucumbers, fresh or chilled (from 16 May to 31 October) Cucumbers	80	Unlimited	Unlimited	Unlimited	(4)
09.1732	0808 10	Apples, fresh	free	5 000	10 000	10 000	(4) (5)
09.1537	ex 0808 20 50	Pears, from 1 August to 31 December	20	2 210	2 380	2 550	(4)
09.4089	ex 1601 00 91 ex 1601 00 99	Sausages and similar products, of meat, offal or blood; other than of poultry	20	130	140	150	
09.4120	ex 1601 00	Sausages and similar products, of meat, offal or blood; of poultry	free	500	1 000	1 000	(5)
09.4090	1602 32 19 1602 39 29	Prepared or preserved meat of poultry	20	1 560	1 680	1 800	
	ex 2001 10 00	Cucumbers	free	Unlimited	Unlimited	Unlimited	
09.1733	2002	Tomatoes, prepared or preserved otherwise than by vinegar or acetic acid	free	1 350	2 700	2 700	(5)
09.1541	ex 2004 90 30	Sauerkraut, frozen	free	65	70	75	
	ex 2004 90 98 ex 2005 90 70	AJVAR, frozen AJVAR, not frozen	free	Unlimited	Unlimited	Unlimited	
09.1542	ex 2008 60 39 2008 60 51 2008 60 61 2008 60 71 2008 60 91	Prepared cherries containing added spirit: Sweet cherries for chocolate products Sour cherries	free	650	700	750	(4)
	2009 70 30 2009 70 93 2009 70 99	Apple juice	50	Unlimited	Unlimited	Unlimited	
09.1543	2009 80 71	Cherry juice	20	195	210	225	
09.1544	2009 90 11 2009 90 19 2009 90 31 2009 90 39	Mixture of juices	20	260	280	300	

- (1) 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.
- (2) In cases where a MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.
- (3) Carcase weight.
- (4) The reduction applies only to the *ad valorem* part of the duty.
- (5) For year 2000 the concession applies from 1.7.2000 on.

FINANCIAL STATEMENT				
1. BUDGET HEADING: Chapter 10			APPROPRIATIONS: EUR 1 102,2 mio	
2. TITLE: Council Regulation establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure of certain agricultural concessions provided for in the Europe Agreement with Slovenia.				
3. LEGAL BASIS: Article 133 of the Treaty				
4. AIMS: To establish additional agricultural concessions between the Community and the Republic of Slovenia.				
5. FINANCIAL IMPLICATIONS	12 MONTH PERIOD (EUR million)	CURRENT FINANCIAL YEAR [n] (EUR million)	FOLLOWING FINANCIAL YEAR [n+1] (EUR million)	
5.0 EXPENDITURE - CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS) - NATIONAL AUTHORITIES - OTHER				
5.1 REVENUE - OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES) - NATIONAL	- 24,9	- 8,3	- 24,9	
	n+2	n+3	n+4	n+5
5.0.1 ESTIMATED EXPENDITURE				
5.1.1 ESTIMATED REVENUE	- 24,9	- 24,9	- 24,9	- 24,9
5.2 METHOD OF CALCULATION: * Annex A (a) Taking into account the average imports from Slovenia during the last 3 years as well as the duties actually applied on these imports, the loss of own resources for the community budget can be estimated at EUR 2,8 million/year for the abolished duties listed under Annex A (a). * Annex A (b) Taking into account the duties actually applied on the average imports of products for which the existing tariff concession is enlarged, and for which the duty is fixed at zero, the loss of own resources for the Community budget can be estimated at EUR 22,1 million/year. The yearly increase, from 2001 on, of the quantities of the concessions granted has no direct impact on the community budget, as it is estimated that there would be no imports of the concerned products with the full duties, and as such, that there is no loss on the estimated own resources.				
6.0	CAN THE PROJECT BE FINANCED FROM APPROPRIATIONS ENTERED IN THE RELEVANT CHAPTER OF THE CURRENT BUDGET?			YES
6.1	CAN THE PROJECT BE FINANCED BY TRANSFER BETWEEN CHAPTERS OF THE CURRENT BUDGET?			YES
6.2	WILL A SUPPLEMENTARY BUDGET BE NECESSARY?			NO
6.3	WILL APPROPRIATIONS NEED TO BE ENTERED IN FUTURE BUDGETS?			NO
OBSERVATIONS: The calculations of the loss of own resources have been based on the average imports and actually applied duties on the concerned products.				