

PROTOCOL

adjusting the 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 Estonia, of the other part, to take account of the outcome of negotiations between the Parties on new mutual agricultural concessions

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community',
of the one part, and

THE REPUBLIC OF ESTONIA,
of the other part,

WHEREAS:

- (1) The Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Estonia, of the other part (hereinafter referred to as the Europe Agreement) was signed in Luxembourg on 12 June 1995 and entered into force on 1 February 1998 ⁽¹⁾.
- (2) Article 19(4) of the Europe Agreement provides that the Community and the Republic of Estonia shall examine in the Association Council, product by product and on an orderly and reciprocal basis, the possibility of granting each other additional agricultural concessions. On this basis negotiations have been undertaken and were concluded between the Parties.
- (3) For the first time, improvements to the preferential agricultural regime of the Europe Agreement were provided for in the Protocol adjusting trade aspects of the Europe Agreement ⁽²⁾ to take account of the last enlargement of the Community and the outcome of the GATT Uruguay Round.
- (4) Two further rounds of negotiations for improved agricultural trade concessions were concluded on 22 November 2000 and 31 January 2002.
- (5) The Council decided, by virtue of Regulation (EC) No 1151/2002 ⁽³⁾, to apply on a provisional basis, as from 1 July 2002, the European Community concessions resulting from the 2000 and the 2002 rounds of negotiations.
- (6) The abovementioned concessions are to be replaced on the date of entry into force of this Protocol by the concessions provided for herein,

HAVE AGREED AS FOLLOWS:

Article 1

The arrangements for import into the Community applicable to certain agricultural products originating in the Republic of Estonia as set out in Annex A(a) and A(b) to this Protocol shall replace those set out in Annex V(a) as referred to in Article 19(2), as amended, of the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Estonia, of the other part.

Article 2

The Annexes to this Protocol shall form an integral part thereof.

This Protocol shall form an integral part of the Europe Agreement.

Article 3

This Protocol shall be approved by the Community and the Republic of Estonia in accordance with their own procedures. The Contracting Parties shall take the necessary measures to implement this Protocol.

⁽¹⁾ OJ L 68, 9.3.1998, p. 3.

⁽²⁾ OJ L 29, 3.2.1999, p. 9.

⁽³⁾ OJ L 170, 29.6.2002, p. 15.

Article 4

This Protocol shall enter into force on the first day of the first month following the Contracting Parties' notification of the accomplishment of the corresponding procedures according to Article 3.

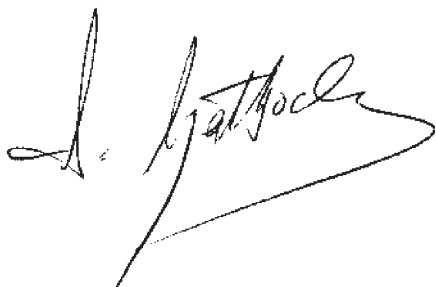
Quantities of goods subject to tariff quotas and released for free circulation as from 1 July 2002 under the concessions provided for in Annex A(b) to Regulation (EC) No 1151/2002 shall be fully counted against the quantities provided for Annex A(b) to the attached Protocol, except for quantities for which import licences were issued before 1 July 2002.

Article 5

This Protocol shall be drawn up in duplicate in the Danish, Dutch, English, Finnish, French, German, Greek, Italian, Portuguese, Spanish, Swedish and Estonian languages, each of these texts being equally authentic.

Hecho en Bruselas, el doce de junio de dos mil tres.
Udfærdiget i Bruxelles den tolvte juni to tusind og tre.
Geschehen zu Brüssel am zwölften Juni zweitausendunddrei.
Έγινε στις Βρυξέλλες, στις δώδεκα Ιουνίου δύο χιλιάδες τρία.
Done at Brussels on the twelfth day of June in the year two thousand and three.
Fait à Bruxelles, le douze juin deux mille trois.
Fatto a Bruxelles, addì dodici giugno duemilatre.
Gedaan te Brussel, de twaalfde juni tweeduizenddrie.
Feito em Bruxelas, em doze de Junho de dois mil e três.
Tehty Brysselissä kahdententoista päivänä kesäkuuta vuonna kaksituhattakolme.
Som skedde i Bryssel den tolfte juni tjugohundratre.
Sõlmitud Brüsselis kaheteistkümnendal juunil kahe tuhande kolmandal aastal.

Por la Comunidad Europea
For Det Europæiske Fællesskab
Für die Europäische Gemeinschaft
Για την Ευρωπαϊκή Κοινότητα
For the European Community
Pour la Communauté européenne
Per la Comunità europea
Voor de Europese Gemeenschap
Pela Comunidade Europeia
Euroopan yhteisön puolesta
På Europeiska gemenskapens vägnar



Eesti Vabariigi nimel



ANNEX A(a)

The following products originating in Estonia shall benefit from a preferential zero-duty within unlimited quantities (applicable duty 0 % of MFN) when imported into the Community

CN code (1)	CN code (1)	CN code (1)	CN code (1)	CN code (1)	CN code (1)
0101 10 90	0709 90 20	0811 90 80	1507	2003 20 00	2008 80 99
0101 90 19	0709 90 50	0811 90 95	1508 10 90	2003 90 00	2008 92 14
0101 90 30	0709 90 90	0812 10 00	1508 90 10	2004 10 10	2008 92 34
0101 90 90	0710 10 00	0812 90 40	1508 90 90	2004 10 99	2008 92 38
0104	0710 21 00	0812 90 50	1511 10 90	2004 90 30	2008 92 59
0106 19 10	0710 22 00	0812 90 60	1511 90 11	2004 90 50	2008 92 74
0106 39 10	0710 29 00	0812 90 99	1511 90 19	2004 90 91	2008 92 78
0204	0710 30 00	0813 10 00	1511 90 91	2004 90 98	2008 92 93
0205	0710 80 51	0813 20 00	1511 90 99	2005 10 00	2008 92 96
0206 80 91	0710 80 59	0813 30 00	1512	2005 20 20	2008 92 98
0206 90 91	0710 80 61	0813 40 10	1513	2005 20 80	2008 99 28
0207 13 91	0710 80 69	0813 40 30	1514	2005 40 00	2008 99 37
0207 14 91	0710 80 70	0813 40 95	1515	2005 51 00	2008 99 40
0207 26 91	0710 80 80	0813 50 15	1516 10 10	2005 59 00	2008 99 45
0207 27 91	0710 80 85	0813 50 19	1516 20 91	2005 60 00	2008 99 49
0207 35 91	0710 80 95	0813 50 91	1516 20 95	2005 90 10	2008 99 55
0207 36 89	0710 90 00	0813 50 99	1516 20 96	2005 90 50	2008 99 68
0208	0711 40 00	0901 12 00	1516 20 98	2005 90 60	2008 99 72
0210 91 00	0711 59 00	0901 21 00	1517 10 90	2005 90 70	2008 99 78
0210 92 00	0711 90 10	0901 22 00	1517 90 99	2005 90 75	2008 99 99
0210 93 00	0711 90 50	0901 90 90	1518 00 31	2005 90 80	2009 50 10
0210 99 10	0711 90 80	0902 10 00	1518 00 39	2006 00 99	2009 50 90
0210 99 21	0711 90 90	0904 12 00	1522 00 91	2007 10 91	2009 71 10
0210 99 29	0712 20 00	0904 20 10	1601 00 10	2007 10 99	2009 71 91
0210 99 31	0712 31 00	0904 20 90	1602 10 00	2007 99 10	2009 71 99
0210 99 39	0712 32 00	0907 00 00	1602 20 19	2007 99 91	2009 79 19
0210 99 59	0712 33 00	0910 40 13	1602 20 90	2007 99 98	2009 79 30
0210 99 60	0712 39 00	0910 40 19	1602 31	2008 11 92	2009 79 93
0210 99 79	0712 90 05	0910 40 90	1602 32 19	2008 11 94	2009 79 99
0210 99 80	0712 90 30	0910 91 90	1602 32 30	2008 11 96	2009 80 19
0407 00 90	0712 90 50	0910 99 99	1602 32 90	2008 11 98	2009 80 38
0409 00 00	0712 90 90	1001 90 10	1602 39 29	2008 19 19	2009 80 50
0410 00 00	0713 50 00	1008 10 00	1602 39 40	2008 19 93	2009 80 63
0601	0713 90 10	1008 20 00	1602 39 80	2008 19 95	2009 80 69
0602	0713 90 90	1008 90 90	1602 41 90	2008 19 99	2009 80 71
0603	0802 11 90	1102 90 90	1602 42 90	2008 40 11	2009 80 79
0604	0802 12 90	1103 19 90	1602 49 90	2008 40 21	2009 80 89
0701 10 00	0802 21 00	1103 20 90	1602 50 31	2008 40 29	2009 80 95
0701 90 10	0802 22 00	1105 10 00	1602 50 39	2008 40 39	2009 80 96
0701 90 50	0802 31 00	1105 20 00	1602 50 80	2008 40 51	2009 80 99
0701 90 90	0802 32 00	1106 10 00	1602 90 10	2008 40 59	2009 90 19
0703 10	0802 40	1106 30	1602 90 31	2008 40 71	2009 90 29
0703 90 00	0802 90 50	1107	1602 90 41	2008 40 91	2009 90 39
0704 20 00	0802 90 85	1108 20 00	1602 90 69	2008 40 99	2009 90 51
0704 90 90	0806 20 11	1208 10 00	1602 90 72	2008 50 11	2009 90 59
0705 19 00	0806 20 12	1209	1602 90 74	2008 60 11	2009 90 96
0705 21 00	0806 20 91	1210	1602 90 76	2008 60 31	2009 90 98
0705 29 00	0806 20 92	1211 90 30	1602 90 78	2008 60 39	2204 30 10
0706	0806 20 98	1212 10 10	1602 90 98	2008 60 51	2302 50 00
0708 10 00	0808 20 90	1212 10 99	1603 00 10	2008 60 59	2306 90 19
0708 90 00	0809 40 90	1214 90 10	1703	2008 60 61	2308 00 90
0709 20 00	0810 40 30	1302 19 05	1704 90 10	2008 60 71	2309 10 51
0709 30 00	0810 40 50	1501 00 90	2001 10 00	2008 60 79	2309 10 90
0709 40 00	0810 40 90	1502 00 90	2001 90 20	2008 60 91	2309 90 10
0709 52 00	0810 60 00	1503 00 19	2001 90 50	2008 80 11	2309 90 31
0709 59	0810 90 95	1503 00 90	2001 90 70	2008 80 31	2309 90 41
0709 60 10	0811 90 39	1504 10 10	2001 90 75	2008 80 39	2309 90 51
0709 60 99	0811 90 50	1504 10 99	2001 90 85	2008 80 50	2309 90 91
0709 70 00	0811 90 70	1504 20 10	2001 90 93	2008 80 70	2905 45 00
0709 90 10	0811 90 75	1504 30 10	2001 90 96	2008 80 91	

(1) As defined in Commission Regulation (EC) No 2031/2001 of 6 August 2001 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 279, 23.10.2001, p. 1).

ANNEX A(b)

Imports into the Community of the following products originating in Estonia shall be subject to the concessions set out below (MFN = Most Favoured Nation duty)

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6 2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
09.4598	0102 90 05	Live bovine animals of domestic species of a live weight not exceeding 80 kg	20	178 000 heads	0	⁽³⁾
09.4537	0102 90 21 0102 90 29 0102 90 41 0102 90 49	Live bovine animals of domestic species of a live weight exceeding 80 kg but not exceeding 300 kg	20	153 000 heads	0	⁽³⁾
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 heads	0	⁽⁴⁾
09.4851	0201 0202 1602 50 10	Meat of bovine animals, fresh or chilled Meat of bovine animals, frozen Uncooked; mixtures of cooked meat or offal and uncooked meat or offal of other prepared or preserved meat of bovine animals	free	1 100	350	
09.4583	ex 0203	Meat of domestic swine, fresh, chilled or frozen, excluding CN codes 0203 11 90, 0203 12 90, 0203 19 90, 0203 21 90, 0203 22 90, 0203 29 90	free	2 000	375	⁽⁵⁾
09.4852	0206 10 95 0206 29 91	Thick skirt and thin skirt of bovine animals, fresh, chilled or frozen	free	100	30	
09.6649	ex 0207	Meat and edible offal, of the poultry of heading No 0105, fresh, chilled or frozen, excluding CN codes 0207 13 91, 0207 14 91, 0207 26 91, 0207 27 91, 0207 34 10, 0207 34 90, 0207 35 91, 0207 36 81, 0207 36 85, 0207 36 89	free	1 005	250	
09.4853	0210 19	Meat of swine, salted or in brine, dried or smoked, other	free	100	30	
09.4578	0401	Milk and cream, not concentrated, nor containing added sugar or other sweetening matter	free	800	150	
09.4546	0402 10 19 0402 21 19	Skimmed milk powder Whole milk powder	free	14 000	0	

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
09.4579	0403 10 11	Yoghurt, not flavoured nor containing added fruit, nuts or cocoa: Not containing added sugar or other sweetening matter, with a fat content, by weight: Not exceeding 3 %	free	800	240	
	0403 10 13	Exceeding 3 % but not exceeding 6 %				
	0403 10 19	Exceeding 6 %				
		Other, of a fat content, by weight				
	0403 10 31	Not exceeding 3 %				
	0403 10 33	Exceeding 3 % but not exceeding 6 %				
	0403 10 39	Exceeding 6 %				
09.4580	0403 90 59	Sour cream, of a fat content, by weight exceeding 6 %	free	1 120	210	
	0403 90 61	Sour cream, of a fat content, by weight not exceeding 3 %				
	0403 90 63	Sour cream, of a fat content, by weight exceeding 3 % but not exceeding 6 %				
	0403 90 69	Sour cream, of a fat content, by weight exceeding 6 %				
09.4547	0405 10 11 0405 10 19	Butter	free	4 800	900	
09.4582	0406 10	Fresh (unripened or uncured) cheese, including whey cheese, and curd	free	1 120	210	
09.4581	0406 20 0406 30 0406 40 0406 90	Other cheese	free	4 000	1 200	
09.6650	0407 00 11 0407 00 19 0407 00 30	Poultry eggs	free	600	180	
09.6651	ex 0408	Birds' eggs, not in shell, and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter, excluding CN codes 0408 11 20, 0408 19 20, 0408 91 20, 0408 99 20	free	205	40	⁽⁸⁾
09.6603	0703 20 00	Garlic	free	60	5	
09.6454	0704 10 00	Cauliflowers and headed broccoli	free	270	10	
	0704 90 10	White cabbages and red cabbages				
	0707 00 05	Cucumbers, fresh or chilled	free	unlimited		⁽⁷⁾
	0707 00 90	Gherkins				
	0709 10 00	Fresh or chilled globe artichokes	free	unlimited		⁽⁷⁾
	0709 90 70	Fresh or chilled courgettes	free	unlimited		⁽⁷⁾

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
09.6605	0808 10	Apples, fresh	free	400	75	(7)
	0808 20 50	Fresh pears (excl. perry pears, in bulk, from 1 August to 31 December)	free	unlimited		(7)
	0809 20 05	Fresh sour cherries (<i>Prunus cerasus</i>)	free	unlimited		(7)
	0809 20 95	Fresh cherries (excl. sour cherries)	free	unlimited		(7)
	ex 0809 40 05	Fresh plums, from 1 July to 30 September	free	unlimited		(7)
	0810 10 00	Strawberries, fresh	free	unlimited		(9)
09.6609	0810 30	Black-, white- or red currants and gooseberries	free	130	30	(9)
09.6467	0811 10 11	Strawberries, frozen, containing added sugar or other sweetening matter with a sugar content exceeding 13 % by weight	free	240	45	(9)
	0811 10 19	Strawberries, frozen, containing added sugar or other sweetening matter with a sugar content not exceeding 13 % by weight	free	unlimited		(9)
	0811 10 90	Strawberries, frozen, other	free	unlimited		(9)
09.6611	0811 20 11	Raspberries, blackberries, mulberries, loganberries, black-, white- or redcurrants and gooseberries, frozen, with a sugar content exceeding 13 % by weight	free	640	120	
	0811 20 19	Raspberries, blackberries, mulberries, loganberries, black-, white- or redcurrants and gooseberries, frozen, with a sugar content not exceeding 13 % by weight	free	unlimited		(9)
	0811 20 31	Other frozen raspberries	free	unlimited		(9)
	0811 20 39	Other frozen black currants	free	unlimited		(9)
	0811 20 51	Other frozen red currants	free	unlimited		(9)
	0811 20 59	Other frozen blackberries and mulberries	free	unlimited		(9)
	0811 20 90	Other	free	unlimited		(9)
	09.6641	ex 1001	Wheat and meslin, excluding CN code 1001 90 10	free	4 400	1 300
09.6642	1002	Rye	free	1 500	500	
09.6643	1003 00 10	Barley, seed	free	6 500	2 000	
	ex 1003 00 90	Barley, excluding barley for production of malt				
	ex 1003 00 90	Barley for production of malt	free	unlimited		
09.4588	1004 00	Oats	free	4 800	900	

Order No	CN code	Description ⁽¹⁾	Applicable duty (% of MFN) ⁽²⁾	Annual quantity from 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
09.6644	1101	Wheat or meslin flour	free	2 000	600	
09.6645	ex 1102	Cereals flours other than of wheat or meslin, excluding CN code 1102 90 90	free	2 000	600	
09.6646	ex 1103	Cereal groats, meal and pellets, excluding CN codes 1103 19 90 and 1103 20 90	free	100	30	
09.6647	1108 13	Potato starch	free	100	30	
09.4584	ex 1601 00 ex 1602 41 ex 1602 42 ex 1602 49	Sausages and similar products, of meat offal or blood, excluding CN code 1601 00 10 Other prepared or preserved meat, meat offal or blood: of swine: Hams and cuts thereof, excluding CN code 1602 41 90 Other prepared or preserved meat, meat offal or blood: of swine: Shoulders and cuts thereof, excluding CN code 1602 42 90 Other prepared or preserved meat, meat offal or blood: of swine: Other, including mixtures, excluding CN code 1602 49 90	free	960	180	
09.6652	1602 32 11 1602 39 21	Other prepared or preserved meat, meat offal or blood: of poultry of heading 0105: of fowls of the species <i>Gallus domesticus</i> , uncooked Other prepared or preserved meat, meat offal or blood: of poultry of heading 0105: Other than of fowls of the species <i>Gallus domesticus</i> , uncooked	free	160	30	
09.6470	2207 10 00	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol. or higher	free	71	3	
09.6648	ex 2309	Preparations of the kind used in animal feeding, excluding CN codes 2309 10 51, 2309 10 90, 2309 90 10, 2309 90 20, 2309 90 31, 2309 90 41, 2309 90 51, 2309 90 91	free	200	50	

⁽¹⁾ Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for 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⁾ The quota for this product is opened for the Czech Republic, the Slovak Republic, Bulgaria, Romania, Hungary, Poland, Estonia, Latvia and Lithuania. In case imports into the Community of live bovine domestic animals may exceed 500 000 head for any given year, the Community may take the management measures needed to protect its market, notwithstanding any other rights given under the Agreement.

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

⁽⁵⁾ Excluding tenderloin presented alone.

⁽⁶⁾ Subject to minimum import price arrangements contained in the Annex to this Annex.

⁽⁷⁾ The reduction applies only to the *ad valorem* part of the duty.

⁽⁸⁾ In dried egg equivalent (100 kg liquid egg = 25,7 kg of dried eggs).

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 Estonia:

CN code	Description	Minimum import price (EUR/t net)
ex 0810 10	Strawberries, fresh, intended for processing	514
ex 0810 30 10	Blackcurrants, fresh, intended for processing	385
ex 0810 30 30	Redcurrants, fresh, intended for processing	233
ex 0811 10 11	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content exceeding 13 % by weight: whole fruit	750
ex 0811 10 11	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content exceeding 13 % by weight: other	576
ex 0811 10 19	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: whole fruit	750
ex 0811 10 19	Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: other	576
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter: whole fruit	750
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter: other	576
ex 0811 20 19	Frozen raspberries, containing additional sugar or other sweetening matter not exceeding 13% by weight: whole fruit	995
ex 0811 20 19	Frozen raspberries, containing additional sugar or other sweetening matter not exceeding 13 % by weight: other	796
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: whole fruit	995
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: other	796
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: without stalk	628
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: other	448
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter: without stalk	390
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter: other	295

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 Estonian authorities in order to enable them to correct the situation.

4. At the request of either the Community or Estonia, the Association Council shall examine the functioning of the system or the revision of the level of the minimum import prices. If appropriate, the Association Council 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 may 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, on the one part and the authorities', producers' and exporters' organisations of all the associated exporting countries, on 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.
