

# Official Journal of the European Union

# L 264



English edition

## Legislation

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# EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.



## II

(Non-legislative acts)

## INTERNATIONAL AGREEMENTS

COUNCIL DECISION (EU) 2021/1213

of 13 July 2021

**on the conclusion, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Argentine Republic pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article 207(4) in conjunction with point (a)(v) of the second subparagraph of Article 218(6) thereof,

Having regard to the proposal from the European Commission,

Having regard to the consent of the European Parliament <sup>(1)</sup>,

Whereas:

- (1) On 15 June 2018 the Council authorised the Commission to open negotiations pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 on the apportionment of the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the Union.
- (2) Negotiations with Argentina were concluded on 5 February 2021 with the initialling of the Agreement in the form of an Exchange of Letters between the European Union and the Argentine Republic pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union (the 'Agreement').
- (3) The Agreement was signed on behalf of the Union on 10 May 2021, subject to its conclusion at a later date, in accordance with Council Decision (EU) 2021/651 <sup>(2)</sup>.
- (4) The Agreement should be approved,

<sup>(1)</sup> Consent of 23 June 2021 (not yet published in the Official Journal).

<sup>(2)</sup> Council Decision (EU) 2021/651 of 19 April 2021 on the signing, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Argentine Republic pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff-rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union (OJ L 135, 21.4.2021, p. 1).

HAS ADOPTED THIS DECISION:

*Article 1*

The Agreement in the form of an Exchange of Letters between the European Union and the Argentine Republic pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on all the tariff rate quotas included in the EU Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union is hereby approved on behalf of the Union <sup>(3)</sup>.

*Article 2*

The President of the Council shall, on behalf of the Union, give the notification provided for in the Agreement <sup>(4)</sup>.

*Article 3*

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 13 July 2021.

*For the Council*  
*The President*  
A. ŠIRCELJ

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<sup>(3)</sup> The text of the Agreement is published on page 3 of this Official Journal.

<sup>(4)</sup> The date of entry into force of the Agreement will be published in the *Official Journal of the European Union* by the General Secretariat of the Council.

## AGREEMENT

**in the form of an exchange of letters between the European Union and the Argentine Republic pursuant to Article XXVIII of the general agreement on tariffs and trade (GATT) 1994 relating to the modification of concessions on all the tariff rate quotas included in the EU schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union**

### A. Letter from the European Union

Sir/Madam,

I have the honour of referring to the negotiations which took place in accordance with Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on tariff-rate quotas included in the European Union Tariff Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union ('EU'), as communicated to WTO Members in document G/SECRET/42/Add.2.

On the conclusion of the negotiations, the Argentine Republic ('Argentina') and the EU agreed on the following:

Without prejudice to future negotiations under Article XXVIII of the GATT 1994 and for the purposes of United Kingdom's withdrawal from the EU only, Argentina agrees with the methodology of apportioning the scheduled quantitative commitments in the form of the tariff-rate quotas of the EU that included the United Kingdom, whereby there is an apportioned quantity taken on by the EU that no longer includes the United Kingdom with the remainder of the quantity taken on by the United Kingdom. This reflects the unique circumstances resulting from the United Kingdom's withdrawal from the EU.

In respect of the tariff-rate quotas where Argentina has negotiating or consultation rights under Article XXVIII of the GATT 1994, Argentina agrees and is satisfied with the proposed tariff-rate quota quantity commitments, as set out in document G/SECRET/42/Add.2, taken on by the EU after the withdrawal of the United Kingdom.

Notwithstanding the previous paragraph, with respect to the tariff-rate quotas below, Argentina and the EU agree to changes to scheduled commitments as follows:

- Tariff-rate quota 020 (Meat of sheep or goat: fresh, chilled or frozen) the EU volume of the Argentina country-specific part will be adjusted to 19 090 tonnes;
- Tariff-rate quota 069 (Barley): the EU volume of the *erga omnes* quota will be adjusted to 307 105 tonnes;
- Tariff-rate quota 071 (Maize): the EU volume of the *erga omnes* quota will be adjusted to 276 440 tonnes;
- Tariff-rate quota 080 (Broken rice): the EU volume of the *erga omnes* quota will be adjusted to 28 360 tonnes;
- Tariff rate quota 111 (Grape juice): the EU volume of the *erga omnes* quota will be adjusted to 2 525 tonnes.

Furthermore, Argentina and the EU agree on the following changes to scheduled commitments to facilitate the usage of certain of tariff-rate quotas:

- Tariff-rate quota 046 (Garlic): the EU shall eliminate the current distinction between traditional and new importers. In terms of the administration of Argentina's specific part of this quota, the spread of the volume of 19 147 tonnes will be adjusted as follows:

Yearly TRQ	1st quarter (1 June–31 August)	2nd quarter (1 Sept–30 Nov)	3rd quarter (1 Dec–28 Feb)	4th quarter (1 March–31 May)
19 147 t	0 t	0 t	11 700 t	7 447 t

- Tariff-rate quota 011 (Meat of bovine animals, frozen; edible offal of bovine animals, frozen): the EU shall adjust the *ad valorem* part of the in-quota duty from 20 to 15 %.

In addition, as regards the following tariff-rate quotas, the EU will implement the following provisions in its applicable internal legislation:

- Tariff-rate quota 026 (Cuts of fowls of the species *Gallus domesticus*, frozen): the EU will create a country-specific suballocation for Argentina of 2 080 tonnes based on its historical exports in a representative period. This country allocation will be created under the existing *erga omnes* TRQ;
- Tariff-rate quota 029 (Salted poultry meat): the EU will create a country-specific suballocation for Argentina of 456 tonnes based on its historical exports in a representative period. This country allocation will be created under the existing *erga omnes* TRQ.

This Agreement does not prejudice negotiations between the EU and other WTO Members with rights under Article XXVIII of the GATT 1994 as regards the *erga omnes* tariff-rate quotas concerned, other than those listed above. The EU undertakes to inform Argentina if the result of such negotiations would change the shares set out in document G/SECRET/42/Add.2.

The EU and Argentina shall notify each other of the completion of their internal procedures for the entry into force of this Agreement. This Agreement shall enter into force on the date of the last notification.

I should be obliged if you would confirm that your Government is in agreement with the above.

I have the honour to propose that this letter and your Government's confirmation shall together constitute an Agreement in the form of an Exchange of Letters between the European Union and the Argentine Republic, including for the purposes of Article XXVIII:3(a) and (b) of the GATT 1994.

Please accept, Sir/Madam, the assurance of my highest consideration.

*For the European Union*

Съставено в Брюксел на  
 Hecho en Bruselas, el  
 V Bruselu dne  
 Udfærdiget i Bruxelles, den  
 Geschehen zu Brüssel am  
 Brüssel,  
 Έγινε στις Βρυξέλλες, στις  
 Done at Brussels,  
 Fait à Bruxelles, le  
 Sastavljeno u Bruxellesu  
 Fatto a Bruxelles, addì  
 Brisele, 10-05-2021  
 Priimta Briuselyje,  
 Kelt Brüsszelben,  
 Magħmul fi Brussell,  
 Gedaan te Brussel,  
 Sporządzono w Brukseli, dnia  
 Feito em Bruxelas,  
 Întocmit la Bruxelles,  
 V Bruseli  
 V Bruslju,  
 Tehty Brysselissä  
 Utfärdat i Bryssel den

За Европейския съюз  
 Por la Unión Europea  
 Za Evropskou unii  
 For Den Europæiske Union  
 Für die Europäische Union  
 Euroopa Liidu nimel  
 Για την Ευρωπαϊκή Ένωση  
 For the European Union  
 Pour l'Union européenne  
 Za Europejsku uniju  
 Per l'Unione europea  
 Eiropas Savienības vārdā –  
 Europos Sąjungos vardu  
 Az Európai Unió részéről  
 Għall-Unjoni Ewropea  
 Voor de Europese Unie  
 W imieniu Unii Europejskiej  
 Pela União Europeia  
 Pentru Uniunea Europeană  
 Za Európsku úniu  
 Za Evropsko unijo  
 Euroopan unionin puolesta  
 För Europeiska unionen

*Nuno Brito*

## B. Letter from the Argentine Republic

Sir/Madam,

I have the honour to acknowledge the receipt of your letter of today's date, which reads as follows:

I have the honour of referring to the negotiations which took place in accordance with Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions on tariff-rate quotas included in the European Union Tariff Schedule CLXXV as a consequence of the United Kingdom's withdrawal from the European Union ('EU'), as communicated to WTO Members in document G/SECRET/42/Add.2.

On the conclusion of the negotiations, the Argentine Republic ('Argentina') and the EU agreed on the following:

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Notwithstanding the previous paragraph, with respect to the tariff-rate quotas below, Argentina and the EU agree to changes to scheduled commitments as follows:

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Furthermore, Argentina and the EU agree on the following changes to scheduled commitments to facilitate the usage of certain of tariff-rate quotas:

- Tariff-rate quota 046 (Garlic): the EU shall eliminate the current distinction between traditional and new importers. In terms of the administration of Argentina's specific part of this quota, the spread of the volume of 19 147 tonnes will be adjusted as follows:

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This Agreement does not prejudice negotiations between the EU and other WTO Members with rights under Article XXVIII of the GATT 1994 as regards the *erga omnes* tariff-rate quotas concerned, other than those listed above. The EU undertakes to inform Argentina if the result of such negotiations would change the shares set out in document G/SECRET/42/Add.2.

The EU and Argentina shall notify each other of the completion of their internal procedures for the entry into force of this Agreement. This Agreement shall enter into force on the date of the last notification.

I should be obliged if you would confirm that your Government is in agreement with the above.

I have the honour to propose that this letter and your Government's confirmation shall together constitute an Agreement in the form of an Exchange of Letters between the European Union and the Argentine Republic, including for the purposes of Article XXVIII:3(a) and (b) of the GATT 1994.'

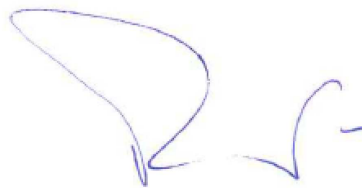
I hereby have the honour to express my Government's agreement with the above letter.

*For the Argentine Republic*

Hecho en Bruselas, el  
Съставено в Брюксел на  
V Bruselu dne  
Udfærdiget i Bruxelles, den  
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Magħmul fi Brussell,  
Gedaan te Brussel,  
Sporządzono w Brukseli, dnia  
Feito em Bruxelas,  
Întocmit la Bruxelles,  
V Bruseli  
V Bruslju,  
Tehty Brysselissä  
Utfärdat i Bryssel den

10-05-2021

Por la República Argentina  
За Република Аржентина  
Za Argentinsku republiku  
For Den Argentinske Republik  
Für die Argentinische Republik  
Argentina Vabariigi nimel  
Για τη Δημοκρατία της Αργεντινής  
For the Argentine Republic  
Pour la République argentine  
Za Argentinsku Republiku  
Per la Repubblica argentina  
Argentīnas Republikas vārdā –  
Argentinos Respublikos vardu  
Az Argentin Köztársaság részéről  
Għar-Repubblika Argentina  
Voor de Argentijnse Republiek  
W imieniu Republiki Argentyńskiej  
Pela República Argentina  
Pentru Republica Argentina  
Za Argentínsku republiku  
Za Argentinsko republiko  
Argentiinan tasavallan puolesta  
För Republiken Argentina





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