COUNCIL DECISION

of 20 December 1979

concerning the conclusion of the Agreement negotiated between the European Economic Community and Austria under Article XXVIII of the GATT concerning certain products of the agri-foodstuffs industry

(80/180/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the recommendation from the Commission,

Whereas, on the basis of Article XXVIII of the General Agreement on Tariffs and Trade (GATT), Austria indicated its intention of unbinding tariff concessions on certain products of which the European Economic Community is its principal supplier;

Whereas the Commission opened negotiations with Austria under Article XXVIII of the GATT and has reached an Agreement with that country; whereas the said Agreement is satisfactory,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement negotiated between the European Economic Community and Austria under Article XXVIII of the GATT concerning certain products of the agri-foodstuffs industry is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Article 3

The Contracting Parties to the General Agreement on Tariffs and Trade shall be notified of the result of the negotiations.

Done at Brussels, 20 December 1979.

For the Council

The President

J. TUNNEY

ANNEX

Agreement negotiated between the European Economic Community and Austria under Article XXVIII of the GATT concerning certain products of the agri-foodstuffs industry

The Delegations of Austria and of the Commission of the European Communities have concluded their negotiations under Article XXVIII for the modification or withdrawal of concessions provided for in Schedule XXXII-Austria as set out in the report attached.

Geneva, 2 October 1979.

(subject to ratification)

For the Delegation of Austria

For the Delegation of the Commission of the European Communities

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RESULTS OF NEGOTIATIONS UNDER ARTICLE XXVIII FOR THE MODIFICATION OR WITHDRAWAL OF CONCESSIONS IN THE SCHEDULE XXXII-AUSTRIA

CHANGES IN SCHEDULE XXXII-AUSTRIA

A. Concessions to be withdrawn

(aa) *Initially negotiated under the Geneva (1967) Protocol*

Tariff item number	Description of products	Rates of duty bound in existing schedule
		in % *ad val.* or in Schilling per 100 kg
ex 07.02	Potatoes (whether or not cooked), preserved by freezing	20 %
19.02	Malt extract; preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa:	
	B. Other:	
	1. Milk- or egg-based preparations	27 %
	2. Other	29 % but not less than Sch. 280 per 100 kg

Tariff item number	Description of products	Rates of duty bound in existing schedule
		in % *ad val.* or in Schilling per 100 kg
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products)	20 %
20.02	Vetagables prepared or preserved otherwise by vinegar or acetic acid:	
	A. In airtight containers of a gross weight of 15 kg or less:	
	5. Other:	
	ex b) Potatoes	370
21.07	Food preparations not elsewhere specified or included:	
	B. Other, except	
	— sugar syrups containing added flavouring or colouring matter, and	
	— extracts mixed with other substances for the manufacture of foodstuffs	30 % but not less than Sch. 280 per 100 kg
ex 22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07; except those with a basis of milk	22 %
22.03	Beet-pulp, bagasse and other waste of sugar manufacture; brewing and distilling dregs and waste; residues of starch manufacture and similar residues:	
	B. Other	Free

(bb) *Initially negotiated under the Torquay Schedules*

Tariff item number	Description of products	Rates of duty bound in existing schedule
		in % *ad val.* or in Schilling per 100 kg
ex 19.08	A. Biscuits, sweetened	980
	B. Biscuits, unsweetened	770

C. **Reduction or modification of rates bound in the existing schedules**

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
		in % *ad val.* or in Schilling per 100 kg	in % *ad val.* or in Schilling per 100 kg
09.01	Coffee, whether or not roasted or freed of caffeine; coffee husks and skins; coffee substitutes containing coffee in any proportion:		
	B. Roasted	30 %	15 %
18.04	Cocoa butter (fat or oil)	8 %	5 %
20.02	Vegetables prepared or preserved otherwise than by vinegar or acetic acid:		
	A. In airtight containers of a gross weight of 15 kg or less:		
	5. Other:		
	ex b) Potatoes	—	10 % + vc *
21.02	Extracts, essences or concentrates, of coffee, tea or maté and preparations with a basis of those extracts, essences or concentrates; roasted chicory and other roasted coffee substitutes and extracts, essences and concentrates thereof:		
	A. Extracts of coffee, solid	24 %	12 %

Note:
The abbreviation 'vc' indicates that Austria reserves the right to levy additionally a variable component determined from time to time under her regulations relating to goods processed from agricultural products.

D. **New concessions on items not in existing schedules**

Tariff item number	Description of products	Rates of duty bound in existing schedule	Rates of duty to be bound
		in % *ad val.* or in Schilling per 100 kg	in % *ad val.* or in Schilling per 100 kg
ex 23.07	Products falling within this subheading (sweetened forage; other preparations of a kind used in animal feeding) within an annual quota of 5 200 tonnes,		
	except:		
	— fish or marine mammal solubles,		
	— products with a total content of sugar of 40 % or more by weight, expressed as invert sugar, or with a starch content determined by the modified Ewers polarimetric method, of 40 % or more by weight, or with a lactose content of 2 % or more by weight	30 %	15 %
	The quota year begins on 1 January of each year.		