II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 14 September 1981

on the conclusion of the Agreement between the European Economic Community and the Kingdom of Sweden relating to certain processed fruit and vegetable products negotiated under Article XXVIII of GATT

(81/959/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 the Kingdom of Sweden, invoking Article XXVIII of the General Agreement on tariffs and trade (GATT), has notified its intention of unbinding the tariff concession for certain processed fruit and vegetable products of which the European Economic Community is the principal supplier;

Whereas the Commission has conducted negotiations with the Kingdom of Sweden under Article XXVIII of GATT; whereas it has reached an Agreement with Sweden; whereas that Agreement has been found to be satisfactory,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement between the European Economic Community and the Kingdom of Sweden relating to certain processed fruit and vegetable products negotiated under Article XXVIII of GATT is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Done at Brussels, 14 September 1981.

For the Council

The President

CARRINGTON

Geneva, 10 February 1981

PROCES-VERBAL

1. The delegations of the Kingdom of Sweden and the Commission of the European Communities have concluded their negotiations under Article XXVIII of GATT for the modification of concessions in schedule XXX - SWEDEN relating to certain preparations of vegetables, fruit or other parts of plants with the following agreement:

   the concessions included in schedule XXX - SWEDEN as set out in part A of Annex I shall be replaced by:

   (a) the concessions to be bound in GATT, as set out in part B of Annex I;

   (b) the autonomous concession, granted by the Kingdom of Sweden to the European Economic Community, as set out in the draft letter in Annex II.

   The provisions contained in this paragraph shall enter into force on the same date.

2. In connection with this negotiation, Sweden agrees to inform the European Economic Community if it is envisaged that Sweden will for the item ex 20.02.200 (white beans in tomato sauce) increase the duty-rate above the level of 8 %.

   The parties agree, upon request, to enter into consultation if difficulties arise for this item and shall endeavour to seek appropriate solutions, aiming at maintaining the present level of trade in this product.

   These consultations shall be held in the framework and in accordance with Article 15 of the Agreement between the Kingdom of Sweden and the European Economic Community concluded on 21 July 1972.

3. The parties agree to submit the Agreement for approval by their authorities.

Geneva, 10 February 1981.

On behalf of the delegation of the Kingdom of Sweden

On behalf of the delegation of the Commission of the European Communities

ANNEX I

Results of negotiations between the Kingdom of Sweden and the European Communities under Article XXVIII for the modification of concessions in schedule XXX – Sweden

CHANGES IN SCHEDULE XXX – SWEDEN

Note:

The concessions listed in Part 'A' shall be replaced by those listed in Part 'B'. Any item listed in Annex 'B' confers upon the European Communities initial negotiating rights.

PART A

SCHEDULE XXX – SWEDEN

Tariff item number	Description of products	Rate of duty
	CHAPTER 20	
	Preparations of vegetables, fruit or other parts of plants	
ex 20.01	. . .	
	Other vegetables than olives and capers	Skr 20 per 100 kg (1)
ex 20.02	. . .	
	Mushrooms and truffles:	Skr 65 per 100 kg with freedom to change to 13 % (1)
	— in airtight containers for retail sale	
	— other	Skr 65 per 100 kg (1)
	Other (except tomato pulp and tomato purée, tomatoes in airtight containers for retail sale, olives, asparagus, potato products, capers, red peppers and green peppers)	Skr 20 per 100 kg (1)
ex 20.04	. . .	
	Candied fruit-peel	Skr 40 per 100 kg (1)
	Other	Skr 30 per 100 kg with freedom to change to 20 % (1)
ex 20.05	. . .	
	Jams and marmalades of orange, lemon, grapefruit, pineapple, apricot, gooseberry, peach and plum	Skr 40 per 100 kg (1)
	Purée and mould of chestnuts	Skr 60 per 100 kg (1)

(1) The duty shall be calculated on the weight of the goods including such packings in which the goods are usually sold by retail.

Tariff item number	Description of products	Rate of duty
ex 20.07	. . .	
	Not containing added sugar:	
	— of fruit other than citrus fruit, passion fruit, mango, guava and pineapple	
	— in containers of a gross weight exceeding 3 kilograms	Skr 10 per 100 kg
	— in other containers	Skr 12·50 per 100 kg (1)
	— of vegetables:	
	— in containers of a gross weight exceeding 3 kilograms	Skr 10 per 100 kg
	— in other containers	Skr 10 per 100 kg (1)
	Containing added sugar:	
	in casks:	
	of citrus fruit, of apples, cherries, black and red currants, gooseberries, pears, raspberries, strawberries or whortleberries	Skr 34 per 100 kg
	in other containers:	
	of citrus fruit	Skr 34 per 100 kg (1)
	of apples, cherries, black and red currants, gooseberries, pears, raspberries, strawberries or whortleberries	Skr 40 per 100 kg

(1) The duty shall be calculated on the weight of the goods including such packings in which the goods are usually sold by retail.

PART B

SCHEDULE XXX – SWEDEN

Tariff item number	Description of products	Concession rate of duty
07.02	. . .	
006	Broccoli	Free
ex 009	Onions and shallots	16 %
08.10	. . .	
902	Raspberries	Free
13.03	. . .	
200	Pectic substances, pectinates and pectates	Free
15.07	. . .	
502	Linseed oil, bleached	Free
19.02	. . .	
100	Malt extract	Free

Tariff item number	Description of products	Concession rate of duty
20.01	. . .	
	Cucumbers:	
ex 151	Gherkins, whole, minimum 85 pieces per kilogram dried weight	5 %
ex 151	Other	10 %, min. Skr 30 (1) per 100 kg
152	Red beets	10 %
153	Olives and capers	Free
ex 159	Red cabbages; artichokes	7 %
ex 159	Other vegetables than cucumbers, red beets, olives and capers	11 %
250	Fruit	Free
20.02	. . .	
ex 100	Peas (excluding products of peas falling within heading No 07.05)	10 %
ex 200	Beans (excluding products of beans falling within heading No 07.05)	8 %
300	Mushrooms and truffles:	
	Champignons	15 %
	Other mushrooms	5 %
	Truffles	Free
401	Tomatoes	Free
901	Olives	Free
906	Capers and sweet peppers	Free
ex 909	Sliced onions, fried; sauerkraut	5 %
ex 909	Other vegetables than peas, beans, mushrooms, truffles, tomatoes, tomato pulp, tomato purée, asparagus, olives, products based on potatoes, capers and sweet peppers	11 %
20.03	. . .	
902	Raspberries	Free (2)
20.04 000	. . .	Free (2)
20.05	. . .	
100	Of citrus fruit	5 % (2)
	Of berries:	
ex 300	of blackcurrants and strawberries	7 % (2)
ex 300	of other berries	5 % (2)
909	Other (than of citrus fruit, berries and apples)	5 % (2)
20.06	. . .	
300	Citrus fruit	Free
400	Pears	Free
500	Apricots	Free
600	Peaches	Free
809	Other fruit	Free

(1) The minimum rates may be adjusted in relation to the development of the production costs for these products in Sweden. However, this adjustment should not in any case exceed the development of the level of the cost-of-living index in Sweden during the same period.

(2) The Kingdom of Sweden reserves the right to charge, over and above the rate shown, a variable component in order to take into account the differences in the cost of the added sugar incorporated in the goods.

Tariff item number	Description of products	Concession Rate of duty
20.07	. . .	
302, 303	Orange juice, not containing added sugar	Free
308	Orange juice, containing added sugar	Free (1)
402, 403	Grapefruit juice, not containing added sugar	Free
408	Grapefruit juice, containing added sugar	Free (1)
502, 503	Other citrus fruit juices, not containing added sugar	Free
508	Other citrus fruit juice, containing added sugar	Free (1)
702, 703	Tomato juice, not containing added sugar	Free
ex 802, ex 803, ex 805	Other fruit juices (than of citrus fruit, passion fruit, mango, guava and pineapple):	
	of blackcurrants and strawberries; fruit juice mixtures containing juice of blackcurrants and strawberries	10 % (1)
	of apples, pears, cherries and plums; other fruit juice mixtures	5 % (1)
	other	Free (1)
ex 806 ex 807	Other vegetable juices: not containing added sugar	3 %
22.07	. . .	
205	Other fermented beverages, other than sparkling, of an alcoholic strength exceeding 15 % by volume, in containers of 10 litres and less	Skr 40 per 100 litres
22.09	. . .	
	Genever and gin:	
510	In containers of 10 litres or less	Skr 40 per 100 litres
590	In other containers	Skr 15 per 100 litres of an alcoholic strength of 50 % at + 15°C

(1) The Kingdom of Sweden reserves the right to charge, over and above the rate shown, a variable component in order to take into account the differences in the cost of the added sugar incorporated in the goods.

ANNEX II

Mr Director-General,

I have the honour to inform you that, with reference to the Agreement between the European Economic Community and the Kingdom of Sweden concluded on 21 July 1972, and in particular Article 15 thereof, whereby the Contracting Parties declared their readiness to foster, so far as their agricultural policies allow, the harmonious development of trade in agricultural products, the Kingdom of Sweden shall grant to the Community, on a unilateral basis and with effect from 1 July 1981, the following tariff concessions:

Swedish Customs Tariff item number	Description of products	Concession rate of duty
ex 20.02 300	Champignons	13 %

Should an increase in the imports into Sweden from the Community cause serious difficulties for the Swedish production, the Kingdom of Sweden reserves its right, after consultation with the Community, to re-establish the duty at the bound level in GATT of 15 %.

This concession is additional to those included in the letter of 21 July 1972 from the Head of the delegation of the Kingdom of Sweden, Ambassador S. Aström to the Head of the delegation of the European Communities, Mr E. P. Wellenstein.

Please accept, Mr Director-General, the assurance of my highest consideration.