I

*(Acts whose publication is obligatory)*

# COUNCIL REGULATION (EEC) No 2560/76

## of 20 July 1976

## approving the Agreement in the form of an exchange of letters amending Tables I and II annexed to Protocol 2 to the Agreement between the European Economic Community and the Republic of Austria

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 Tables I and II annexed to Protocol 2 to the Agreement between the European Economic Community and the Republic of Austria [1] should be amended and the Agreement in the form of an exchange of letters which has been negotiated to that end should be approved,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Agreement in the form of an exchange of letters amending Tables I and II annexed to Protocol 2 to the Agreement between the European Economic Community and the Republic of Austria is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

*Article 2*

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

*Article 3*

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

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

Done at Brussels, 20 July 1976.

*For the Council*
*The President*
M. van der STOEL

[1] OJ No L 300, 31. 12. 1972, p. 1.

Brussels, . . . . . .

Your Excellency,

The Contracting Parties to the Agreement between the European Economic Community and the Republic of Austria signed on 22 July 1972 have examined in the Joint Committee the possibility of making certain amendments to Tables I and II annexed to Protocol 2 to the said Agreement. The proposed amendments are set out in Annex I.

I have the honour to confirm to you the agreement of the Community to the amendments and I propose that they enter into force on 1 January 1977. I should be grateful if you would confirm the agreement of the Republic of Austria to the amendments and to the date proposed for their entry into force.

In addition, I should like to take this opportunity to inform you that since 1 January 1976 non-crystallizable sorbitol has been transferred from heading No 29.04 to heading No 38.19 of the Common Customs Tariff. Since this product is listed in Table I of Protocol 2 to the Agreement between the Community and your country, it would be desirable for practical reasons to adjust the tariff lists in the Agreement. These adjustments are set out in Annex II. This change of heading does not affect in any way the tariff treatment laid down by Protocol 2 for the product in question.

Please accept, Your Excellency, the assurance of my highest consideration.

*On behalf of the Council*
*of the European Communities*

*ANNEX I*

**Amendments to be made to Protocol 2 to the Agreement between the European Economic Community and the Republic of Austria**

Table I is amended as follows:

— in subheading 29.16 A ex VIII. Other, the description is replaced by:

German text:

ex VIII. andere:

— Glycerinsäure, Glykolsäure, Zuckersäure, Isozuckersäure, Heptazuckersäure, ihre Salze und Ester.

English text:

ex VIII. Other:

— Glyceric acid, glycolic acid, saccharic acid, isosaccharic acid, heptasaccharic acid, their salts and esters.

French text:

ex VIII. autres:

— Acide glycérique, acide glycolique, acide saccharique, acide isosaccharique, acide heptasaccharique, leurs sels et leurs esters.

Italian text:

ex VIII. altri:

— Acido glicerico, acido glicolico, acido saccarico, acido isosaccarico, acido eptasaccarico, loro sali e loro esteri.

Dutch text:

ex VIII. andere:

— Glycerinezuur, glycolzuur, suikerzuur, isosuikerzuur, heptasuikerzuur, alsmede zouten en esters daarvan.

The Danish text remains unchanged.

Table II is amended as follows:

— in subheading ex 29.16 I, the description is replaced by:

The German text remains unchanged.

English text:

— Glyceric acid, glycolic acid, saccharic acid, isosaccharic acid, heptasaccharic acid, their salts and esters.

French text:

— Acide glycérique, acide glycolique, acide saccharique, acide isosaccharique, acide heptasaccharique, leurs sels et leurs esters.

Italian text:

— Acido glicerico, acido glicolico, acido saccarico, acido isosaccarico, acido eptasaccarico, loro sali e loro esteri.

Dutch text:

— Glycerinezuur, glycolzuur, suikerzuur, isosuikerzuur, heptasuikerzuur, alsmede zouten en esters daarvan.

The Danish text remains unchanged.

*ANNEX II*

**Amendments to be made to Protocol 2 to the Agreement between the European Economic Community and the Republic of Austria**

Table I is amended as follows:

— in heading No 38.19, subheading

ex T. Other: ,

is replaced by:

| Description | Basic duties | Duty applicable on 1 July 1977 |
|---|---|---|
| T. Sorbitol, other than that falling within subheading 29.04 C III: | | |
| I. In aqueous solution: | | |
| (a) Containing 2 % or less by weight of mannitol, calculated on the sorbitol content | 12 % + vc | 6 % + vc |
| (b) Other | 9 % + vc | 6 % + vc |
| II. Other: | | |
| (a) Containing 2 % or less by weight of mannitol, calculated on the sorbitol content | 12 % + vc | 6 % + vc |
| (b) Other | 9 % + vc | 6 % + vc |
| ex U. Other: | | |
| — Products obtained from the cracking of sorbitol | 14·4 % | 8 % |

Brussels, . . . . . .

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows:

'The Contracting Parties to the Agreement between the European Economic Community and the Republic of Austria signed on 22 July 1972 have examined in the Joint Committee the possibility of making certain amendments to Tables I and II annexed to Protocol 2 to the said Agreement. The proposed amendments are set out in Annex I.

I have the honour to confirm to you the agreement of the Community to the amendments and I propose that they enter into force on 1 January 1977. I should be grateful if you would confirm the agreement of the Republic of Austria to the amendments and to the date proposed for their entry into force.

In addition, I should like to take this opportunity to inform you that since 1 January 1976 non-crystallizable sorbitol has been transferred from heading No 29.04 to heading No 38.19 of the Common Customs Tariff. Since this product is listed in Table I of Protocol 2 to the Agreement between the Community and your country, it would be desirable for practical reasons to adjust the tariff lists in the Agreement. These adjustments are set out in Annex II. This change of heading does not affect in any way the tariff treatment laid down by Protocol 2 for the product in question.'

I have the honour to confirm the agreement of the Republic of Austria to the contents of your letter and to the date proposed for the entry into force of the amendments, subject to ratification and without prejudice to the legal position already expressed on this matter by Austria, as set out under item 6 (a), second to fourth paragraphs, in the minutes of the sixth meeting of the Austria-EEC Joint Committee on 2 December 1975.

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

*For the Republic of Austria*

*ANNEX I*

**Amendments to be made to Protocol 2 to the Agreement between the European Economic Community and the Republic of Austria**

Table I is amended as follows:

— in subheading 29.16 A ex VIII. Other, the description is replaced by:

German text:

ex VIII. andere:

— Glycerinsäure, Glykolsäure, Zuckersäure, Isozuckersäure, Heptazuckersäure, ihre Salze und Ester.

English text:

ex VIII. Other:

— Glyceric acid, glycolic acid, saccharic acid, isosaccharic acid, heptasaccharic acid, their salts and esters.

French text:

ex VIII. autres:

— Acide glycérique, acide glycolique, acide saccharique, acide isosaccharique, acide heptasaccharique, leurs sels et leurs esters.

Italian text:

ex VIII. altri:

— Acido glicerico, acido glicolico, acido saccarico, acido isosaccarico, acido eptasaccarico, loro sali e loro esteri.

Dutch text:

ex VIII. andere:

— Glycerinezuur, glycolzuur, suikerzuur, isosuikerzuur, heptasuikerzuur, alsmede zouten en esters daarvan.

The Danish text remains unchanged.

Table II is amended as follows:

— in subheading ex 29.16 I, the description is replaced by:

The German text remains unchanged.

English text:

— Glyceric acid, glycolic acid, saccharic acid, isosaccharic acid, heptasaccharic acid, their salts and esters.

French text:

— Acide glycérique, acide glycolique, acide saccharique, acide isosaccharique, acide heptasaccharique, leurs sels et leurs esters.

Italian text:

— Acido glicerico, acido glicolico, acido saccarico, acido isosaccarico, acido eptasaccarico, loro sali e loro esteri.

Dutch text:

— Glycerinezuur, glycolzuur, suikerzuur, isosuikerzuur, heptasuikerzuur, alsmede zouten en esters daarvan.

The Danish text remains unchanged.

*ANNEX II*

**Amendments to be made to Protocol 2 to the Agreement between the European Economic Community and the Republic of Austria**

Table I is amended as follows:

— in heading No 38.19, subheading

ex T. Other:

is replaced by:

| Description | Basic duties | Duty applicable on 1 July 1977 |
|---|---|---|
| T. Sorbitol, other than that falling within subheading 29.04 C III: | | |
| I. In aqueous solution: | | |
| (a) Containing 2% or less by weight of mannitol, calculated on the sorbitol content | 12% + vc | 6% + vc |
| (b) Other | 9% + vc | 6% + vc |
| II. Other: | | |
| (a) Containing 2% or less by weight of mannitol, calculated on the sorbitol content | 12% + vc | 6% + vc |
| (b) Other | 9% + vc | 6% + vc |
| ex U. Other: | | |
| — Products obtained from the cracking of sorbitol | 14·4% | 8% |