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*(Acts whose publication is obligatory)*

# COUNCIL REGULATION (EC) No 2435/98

**of 9 November 1998**

**amending Regulation (EC) No 3066/95 establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for the adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreements to take account of the Agreement on agriculture concluded during the Uruguay Round Multilateral Trade Negotiations**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas Council Regulation (EC) No 3066/95 of 22 December 1995 [1] established certain concessions in the form of Community tariff quotas for certain agricultural products;

Whereas it has been noted that the classification of certain poultrymeat products poses problems arising from the fact that the definition of goose and duck breasts as provided for in Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff [2], does not correspond exactly to technical and commercial practices well established in trade with the CEEC; whereas, in order to maintain traditional trade, it is necessary to add to the groups of products concerned goose and duck breasts the ribs of which have been partially or completely removed, at the same preferential duty rate as for breasts with all ribs; whereas this amendment should be applicable as from 1 January 1998, the date from which the abovementioned problems have been noted,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Annexes I to VI of Regulation (EC) No 3066/95, the concessions provided for under order numbers 09.4702, 09.5304, 09.5301, 09.4801, 09.4601, 09.4650 and 09.4659 shall be replaced by the corresponding concessions referred to in the Annex to this Regulation.

*Article 2*

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

It shall apply from 1 January 1998.

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

Done at Brussels, 9 November 1998.

*For the Council*
*The President*
W. SCHÜSSEL

[1] OJ L 328, 30. 12. 1995, p. 31. Regulation as last amended by Regulation (EC) No 1595/97 (OJ L 216, 8. 8. 1997, p. 1).
[2] OJ L 256, 7. 9. 1987, p. 1. Regulation as last amended by Regulation (EC) No 1048/98 (OJ L 151, 21. 5. 1998, p. 1).

*ANNEX*

A. **Amendment of Annex I (Hungary)**

| 'Order No | CN code | Description | Applicable duty (% of MFN) (2) | Annual quantities | | | | Specific provisions |
|---|---|---|---|---|---|---|---|---|
| | | | | from 1. 7. 1997 to 30. 6. 1998 (tonnes) | from 1. 7. 1998 to 30. 6. 1999 (tonnes) | from 1. 7. 1999 to 30. 6. 2000 (tonnes) | from 1. 7. 2000 (tonnes) | |
| 09.4702 | ex 0207 35 15<br>ex 0207 36 15 | Cuts of ducks, boneless, fresh, chilled or frozen | 20 | 1 430 | 1 495 | 1 560 | 1 625 | |
| | ex 0207 35 53<br>ex 0207 36 53 | Breasts and cuts thereof of ducks, with bone-in, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 63<br>ex 0207 36 63 | Legs and cuts thereof of ducks with bone-in, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 79<br>ex 0207 36 79 | Breasts and cuts thereof of ducks, the ribs of which have been partially or completely removed, fresh, chilled or frozen | 20 % of MFN duty rate for CN code 0207 35 53 | | | | | |
| 09.5304 | ex 0207 35 15<br>ex 0207 36 15 | Cuts and ducks, boneless, fresh, chilled or frozen | ECU 946/tonne<br>ECU 946/tonne | 600 | 600 | 600 | 600 | |
| | ex 0207 35 53<br>ex 0207 36 53 | Breasts and cuts thereof of ducks, with bone in, fresh, chilled or frozen | ECU 546/tonne<br>ECU 546/tonne | | | | | |
| | ex 0207 35 63<br>ex 0207 36 63 | Legs and cuts thereof of ducks with bone in, fresh, chilled or frozen | ECU 513/tonne<br>ECU 513/tonne | | | | | |
| | ex 0207 35 79<br>ex 0207 36 79 | Breasts and cuts thereof of ducks, the ribs of which have been partially or completely removed, fresh, chilled or frozen | ECU 546/tonne<br>ECU 546/tonne | | | | | |
| 09.5301 | 0207 32 51<br>0207 32 59<br>0207 33 51<br>0207 33 59<br>0207 35 11<br>0207 35 23<br>0207 35 51<br>0207 35 61<br>0207 36 11<br>0207 36 23<br>0207 36 51<br>0207 36 61 | Geese | 20 | 23 760 | 24 840 | 25 920 | 27 000 | |

| 'Order No | CN code | Description | Applicable duty (% of MFN) (2) | Annual quantities | | | | Specific provisions |
|---|---|---|---|---|---|---|---|---|
| | | | | from 1. 7. 1997 to 30. 6. 1998 (tonnes) | from 1. 7. 1998 to 30. 6. 1999 (tonnes) | from 1. 7. 1999 to 30. 6. 2000 (tonnes) | from 1. 7. 2000 (tonnes) | |
| | ex 0207 35 31<br>ex 0207 36 31 | Whole wings of geese, with or without tips, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 41<br>ex 0207 36 41 | Backs, necks, backs with necks attached, rumps and wing tips of geese, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 71<br>ex 0207 36 71 | Goose paletots, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 79<br>ex 0207 36 79 | Breasts and cuts thereof of geese, the ribs of which have been partially or completely removed, fresh, chilled or frozen | 20 % of MFN duty rate for CN code 0207 35 51' | | | | | |

B. **Amendment of Annex II (Poland)**

| 'Order No | CN code | Description | Rate of duty applicable (% of MFN) (2) | Annual quantities | | | | Special provisions |
|---|---|---|---|---|---|---|---|---|
| | | | | from 1. 7. 1997 to 30. 6. 1998 (tonnes) | from 1. 7. 1998 to 30. 6. 1999 (tonnes) | from 1. 7. 1999 to 30. 6. 2000 (tonnes) | from 1. 7. 2000 (tonnes) | |
| 09.4801 | 0207 32 11<br>0207 32 15<br>0207 32 19<br>0207 33 11<br>0207 33 19 | Ducks | 20 | 1 650 | 1 725 | 1 800 | 1 875 | |
| | ex 0207 35 15<br>ex 0207 36 15 | Fresh, chilled or frozen boneless cuts of ducks | | | | | | |
| | ex 0207 35 53<br>ex 0207 36 53 | Fresh, chilled or frozen duck breasts and cuts thereof, with bone in | | | | | | |
| | ex 0207 35 63<br>ex 0207 36 63 | Fresh, chilled or frozen duck legs and cuts thereof, with bone in | | | | | | |
| | ex 0207 35 79<br>ex 0207 36 79 | Fresh, chilled or frozen duck breasts and cuts thereof, the ribs of which have been partially or completely removed | 20 % of MFN duty rate for CN code 0207 35 53 | | | | | |
| 09.5301 | 0105 99 20<br>0207 32 51<br>0207 32 59<br>0207 33 51<br>0207 33 59<br>0207 35 11<br>0207 35 23<br>0207 35 51<br>0207 35 61<br>0207 36 11<br>0207 36 23<br>0207 36 51<br>0207 36 61 | Geese | 20 | 19 250 | 20 125 | 21 000 | 21 875 | |
| | ex 0207 35 31<br>ex 0207 36 31 | Whole wings of geese, with or without tips, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 41<br>ex 0207 36 41 | Backs, necks, backs with necks attached, rumps and wing tips, of geese, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 71<br>ex 0207 36 71 | Goose paletots, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 99<br>ex 0207 36 90 | Goose offal, other than livers, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 79<br>ex 0207 36 79 | Breasts and cuts thereof of geese, the ribs of which have been partially or completely removed, fresh, chilled or frozen | 20 % of MFN duty rate for CN code 0207 35 51' | | | | | |

C. **Amendment of Annex III (Slovak Republic)**

| 'Order No | CN code | Description | Rate of duty applicable (% of MFN) (2) | Annual quantities | | | | Specific provisions |
|---|---|---|---|---|---|---|---|---|
| | | | | from 1. 7. 1997 to 30. 6. 1998 (tonnes) | from 1. 7. 1998 to 30. 6. 1999 (tonnes) | from 1. 7. 1999 to 30. 6. 2000 (tonnes) | from 1. 7. 2000 (tonnes) | |
| 09.4601 | 0207 32 11<br>0207 32 15<br>0207 32 19<br>0207 33 11<br>0207 33 19 | Ducks | 20 | 330 | 345 | 360 | 375 | |
| | ex 0207 35 15<br>ex 0207 36 15 | Fresh, chilled or frozen boneless cuts of duck | | | | | | |
| | ex 0207 35 53<br>ex 0207 36 53 | Fresh, chilled or frozen duck breasts and cuts thereof, with bone in | | | | | | |
| | ex 0207 35 63<br>ex 0207 36 63 | Fresh, chilled or frozen duck legs and cuts thereof, with bone in | | | | | | |
| | ex 0207 35 79<br>ex 0207 36 79 | Fresh, chilled or frozen duck breasts and cuts thereof, the ribs of which have been partially or completely removed | 20 % of MFN duty rate for CN code 0207 35 53 | | | | | |
| 09.5301 | 0207 32 51<br>0207 32 59<br>0207 33 51<br>0207 33 59<br>0207 35 11<br>0207 35 23<br>0207 35 51<br>0207 35 61<br>0207 36 11<br>0207 36 23<br>0207 36 51<br>0207 36 61 | Geese | 20 | 330 | 345 | 360 | 375 | |
| | ex 0207 35 31<br>ex 0207 36 31 | Whole wings of geese, with or without tips, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 41<br>ex 0207 36 41 | Backs, necks, backs with necks attached, rumps and wing tips, of geese, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 71<br>ex 0207 36 71 | Goose paletots, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 79<br>ex 0207 36 79 | Breasts and cuts thereof of geese, the ribs of which have been partially or completely removed, fresh, chilled or frozen | 20 % of MFN duty rate for CN code 0207 35 51' | | | | | |

D. **Amendment of Annex IV (Czech Republic)**

| 'Order No | CN code | Description | Rate of duty applicable (% of MFN) (2) | Annual quantities | | | | Specific provisions |
|---|---|---|---|---|---|---|---|---|
| | | | | from 1. 7. 1997 to 30. 6. 1998 (tonnes) | from 1. 7. 1998 to 30. 6. 1999 (tonnes) | from 1. 7. 1999 to 30. 6. 2000 (tonnes) | from 1. 7. 2000 (tonnes) | |
| 09.4601 | 0207 32 11<br>0207 32 15<br>0207 32 19<br>0207 33 11<br>0207 33 19 | Ducks | 20 | 550 | 575 | 600 | 625 | |
| | ex 0207 35 15<br>ex 0207 36 15 | Fresh, chilled or frozen boneless cuts of duck | | | | | | |
| | ex 0207 35 53<br>ex 0207 36 53 | Fresh, chilled or frozen duck breasts and cuts thereof, with bone in | | | | | | |
| | ex 0207 35 63<br>ex 0207 36 63 | Fresh, chilled or frozen duck legs and cuts thereof, with bone in | | | | | | |
| | ex 0207 35 79<br>ex 0207 36 79 | Fresh, chilled or frozen duck breasts and cuts thereof, the ribs of which have been partially or completely removed | 20 % of MFN duty rate for CN code 0207 35 53 | | | | | |
| 09.5301 | 0207 32 51<br>0207 32 59<br>0207 33 51<br>0207 33 59<br>0207 35 11<br>0207 35 23<br>0207 35 51<br>0207 35 61<br>0207 36 11<br>0207 36 23<br>0207 36 51<br>0207 36 61 | Geese | 20 | 1 430 | 1 495 | 1 560 | 1 625 | |
| | ex 0207 35 31<br>ex 0207 36 31 | Whole wings of geese, with or without tips, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 41<br>ex 0207 36 41 | Backs, necks, backs with necks attached, rumps and wing tips of geese, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 71<br>ex 0207 36 71 | Goose platetots, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 79<br>ex 0207 36 79 | Breasts and cuts thereof of geese, the ribs of which have been partially or completely removed, fresh, chilled or frozen | 20 % of MFN duty rate for CN code 0207 35 51' | | | | | |

E. **Amendment of Annex V (Romania)**

| 'Order No | CN code | Description | Applicable rate of duty (% of MFN) (2) | Annual quantities | | | | Specific provisions |
|---|---|---|---|---|---|---|---|---|
| | | | | from 1. 7. 1997 to 30. 6. 1998 (tonnes) | from 1. 7. 1998 to 30. 6. 1999 (tonnes) | from 1. 7. 1999 to 30. 6. 2000 (tonnes) | from 1. 7. 2000 (tonnes) | |
| 09.5301 | 0207 32 51<br>0207 32 59<br>0207 33 51<br>0207 33 59<br>0207 35 11<br>0207 35 23<br>0207 35 51<br>0207 35 61<br>0207 36 11<br>0207 36 23<br>0207 36 51<br>0207 36 61 | Geese | 20 | 330 | 345 | 360 | 375 | |
| | ex 0207 35 31<br>ex 0207 36 31 | Whole wings of geese, with or without tips, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 41<br>ex 0207 36 41 | Backs, necks, backs with necks attached, rumps and wing tips of geese, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 71<br>ex 0207 36 71 | Goose paletots, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 99<br>ex 0207 36 90 | Offal of geese, other than livers, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 79<br>ex 0207 36 79 | Breasts and cuts thereof of geese, the ribs of which have been partially or completely removed, fresh, chilled or frozen | 20 % of MFN duty rate for CN code 0207 35 51' | | | | | |

F. **Amendment of Annex VI (Bulgaria)**

| 'Order No | CN code | Description | Rate of duty applicable (% of MFN) applicable (2) | Annual quantities | | | | Specific provisions |
|---|---|---|---|---|---|---|---|---|
| | | | | from 1. 7. 1997 to 30. 6. 1998 (tonnes) | from 1. 7. 1998 to 30. 6. 1999 (tonnes) | from 1. 7. 1999 to 30. 6. 2000 (tonnes) | from 1. 7. 2000 (tonnes) | |
| 09.4650 | 0207 32 11<br>0207 32 15<br>0207 32 19<br>0207 33 11<br>0207 33 19 | Ducks | 20 | 550 | 575 | 600 | 625 | |
| | ex 0207 35 15<br>ex 0207 36 15 | Cuts of ducks, boneless, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 53<br>ex 0207 36 53 | Breasts and cuts thereof of ducks, with bone-in, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 63<br>ex 0207 36 63 | Legs and cuts thereof of ducks, with bone-in, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 79<br>ex 0207 36 79 | Fresh, chilled or frozen duck breasts and cuts thereof, the ribs of which have been partially or completely removed | 20 % of MFN duty rate for CN code 0207 35 53 | | | | | |
| 09.4659 | 0207 32 51<br>0207 32 59<br>0207 33 51<br>0207 33 59<br>0207 35 11<br>0207 35 23<br>0207 35 51<br>0207 35 61<br>0207 36 11<br>0207 36 23<br>0207 36 51<br>0207 36 61 | Geese | 20 | 550 | 575 | 600 | 625 | |
| | ex 0207 35 31<br>ex 0207 36 31 | Whole wings of geese, with or without tips, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 41<br>ex 0207 36 41 | Backs, necks, backs with necks attached, rumps and wing tips of geese, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 71<br>ex 0207 36 71 | Goose paletots, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 99<br>ex 0207 36 90 | Offal of geese, other than livers, fresh, chilled or frozen | | | | | | |
| | ex 0207 35 79<br>ex 0207 36 79 | Breasts and cuts thereof of geese, the ribs of which have been partially or completely removed, fresh, chilled or frozen | 20 % of MFN duty rate for CN code 0207 35 51' | | | | | |