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*(Acts whose publication is obligatory)*

# COUNCIL REGULATION (EC) No 2341/2000

## of 17 October 2000

## establishing certain concessions in the form of Community tariff quotas for certain agricultural products and providing for an adjustment, as an autonomous and transitional measure, of certain agricultural concessions provided for in the Europe Agreement with Latvia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 133 thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) The Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Latvia, of the other part [1], provides for certain concessions for certain agricultural products originating in Latvia.

(2) Improvements to the preferential agreements of the Europe Agreement with Latvia were provided for in the Protocol adjusting trade aspects of the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Latvia, of the other part, to take account of the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the outcome of the Uruguay Round negotiations on agriculture including improvements to the existing preferential arrangements [2]. The Council approved the abovementioned Protocol on behalf of the Community by Council Decision 1999/790/EC [3].

(3) In accordance with the directives adopted by the Council on 30 March 1999, the Commission and Latvia concluded on 8 May 2000 negotiations on a new Additional Protocol to the Europe Agreement.

(4) The new Additional Protocol, which provides for additional agricultural concessions, will be based on Article 20(4) of the Europe Agreement, establishing that the Community and Latvia are to examine in the Association Council, product by product and on an orderly and reciprocal basis, the possibility of granting each other further concessions.

(5) A swift implementation of the adjustments forms an essential part of the results of the negotiations for the conclusion of a new Additional Protocol to the Europe Agreement with Latvia.

(6) It is therefore appropriate to provide for the adjustment, as an autonomous and transitional measure, of the agricultural concessions provided for in the Europe Agreement with Latvia.

(7) Latvia will take all the useful legislative provisions, on an autonomous and transitional basis, in order to enable a rapid and simultaneous implementation of the adaptation of the agricultural concessions of Latvia provided for in the Europe Agreement.

(8) The measures necessary for the implementation of this Regulation should be in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission [4].

(9) Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code [5] codified the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The arrangements for import into the Community applicable to certain agricultural products originating in Latvia as set out in Annexes A(a) and A(b) to this Regulation shall replace those set out in Annex Va to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Latvia, of the other part.

[1] OJ L 26, 2.2.1998, p. 3.
[2] OJ L 317, 10.12.1999, p. 3.
[3] OJ L 317, 10.12.1999, p. 1.
[4] OJ L 184, 17.7.1999, p. 23.
[5] OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 1662/1999 (OJ L 197, 29.7.1999, p. 25).

2. On the entry into force of the new Additional Protocol adjusting the Europe Agreement referred to in paragraph 1, the concessions provided for in that Protocol shall replace those referred to in Annexes A(a) and A(b) to this Regulation.

3. The Commission shall adopt detailed rules for the application of this Regulation in accordance with the procedure laid down in Article 3(2).

*Article 2*

1. Tariff quotas with an order number above 09.5100 shall be administered by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

2. Quantities of goods subject to tariff quotas and released for free circulation as from 1 July 2000 under the concessions provided for in Annex Va to the Europe Agreement in accordance with the provisions of Council Regulation (EC) No 1926/96 [1] before the entry into force of this Regulation shall be fully counted against the quantities provided for in Annex A(b) to this Regulation.

*Article 3*

1. The Commission shall be assisted by the committee instituted by Article 23 of Council Regulation (EEC) No 1766/92 on the common organisation of the market of cereals [2] or, where appropriate, the committee instituted by the relevant provisions of the other regulations on the common organisation of agricultural markets, hereinafter referred to as the 'Committee'.

2. Where reference is made to this paragraph, the procedure laid down in Articles 4 and 7 of Decision 1999/468/EC shall apply.

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at one month.

3. The Committee shall adopt its Rules of Procedure.

*Article 4*

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

It shall apply from 1 July 2000.

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

Done at Luxembourg, 17 October 2000.

*For the Council*

*The President*

L. FABIUS

[1] OJ L 254, 8.10.1996, p. 1.

[2] OJ L 181, 1.7.1992, p. 21.

*ANNEX A(a)*

**Customs duties on imports applicable in the Community to products originating in Latvia and listed below shall be abolished**

| CN code (1) | CN code (1) | CN code (1) | CN code (1) | CN code (1) |
|---|---|---|---|---|
| 0101 20 10 | 0603 10 20 | 0808 20 90 | 1210 20 90 | 1513 29 50 |
| 0104 20 10 | 0603 10 30 | 0810 40 30 | 1211 90 30 | 1513 29 91 |
| 0106 00 10 | 0603 10 40 | 0810 40 50 | 1212 10 10 | 1513 29 99 |
| 0106 00 20 | 0603 10 50 | 0810 40 90 | 1212 10 99 | 1514 10 10 |
| | 0603 10 80 | 0811 90 85 | 1214 90 10 | 1514 10 90 |
| 0205 00 11 | 0603 90 00 | 0812 10 00 | | 1514 90 10 |
| 0205 00 19 | 0604 10 90 | 0812 90 40 | 1502 00 90 | 1514 90 90 |
| 0205 00 90 | 0604 91 21 | 0812 90 50 | 1503 00 19 | 1515 11 00 |
| 0206 80 91 | 0604 91 29 | 0812 90 60 | 1503 00 90 | 1515 19 10 |
| 0206 90 91 | 0604 91 41 | 0812 90 95 | 1504 10 10 | 1515 19 90 |
| 0207 13 91 | 0604 91 49 | 0813 10 00 | 1504 10 99 | 1515 21 10 |
| 0207 14 91 | 0604 91 90 | 0813 20 00 | 1504 20 10 | 1515 21 90 |
| 0207 26 91 | 0604 99 90 | 0813 30 00 | 1504 30 10 | 1515 29 10 |
| 0207 27 91 | | 0813 40 10 | 1507 10 10 | 1515 29 90 |
| 0207 35 91 | 0701 10 00 | 0813 40 30 | 1507 10 90 | 1515 30 90 |
| 0207 36 89 | 0701 90 10 | 0813 40 95 | 1507 90 10 | 1515 50 11 |
| 0208 10 11 | 0703 10 11 | 0813 50 15 | 1507 90 90 | 1515 50 19 |
| 0208 10 19 | 0703 10 19 | 0813 50 19 | 1508 10 90 | 1515 50 91 |
| 0208 20 00 | 0703 10 90 | 0813 50 91 | 1508 90 10 | 1515 50 99 |
| 0208 90 10 | 0703 90 00 | 0813 50 99 | 1508 90 90 | 1515 90 29 |
| 0208 90 50 | 0708 10 00 | | 1511 10 90 | 1515 90 39 |
| 0208 90 60 | 0709 51 30 | 0901 12 00 | 1511 90 11 | 1515 90 40 |
| 0208 90 80 | 0709 51 50 | 0901 21 00 | 1511 90 19 | 1515 90 51 |
| 0210 90 10 | 0709 51 90 | 0901 22 00 | 1511 90 91 | 1515 90 59 |
| 0210 90 79 | 0709 52 00 | 0902 10 00 | 1511 90 99 | 1515 90 60 |
| | 0709 60 10 | 0904 12 00 | 1512 11 10 | 1515 90 91 |
| 0407 00 90 | 0709 60 99 | 0904 20 10 | 1512 11 91 | 1515 90 99 |
| 0410 00 00 | 0709 90 50 | 0904 20 90 | 1512 11 99 | 1516 20 95 |
| | 0710 80 59 | 0907 00 00 | 1512 19 10 | 1516 20 96 |
| 0601 10 10 | 0711 10 00 | 0910 40 13 | 1512 19 91 | 1516 20 98 |
| 0601 10 20 | 0711 90 10 | 0910 40 19 | 1512 19 99 | 1518 00 31 |
| 0601 10 30 | 0711 90 70 | 0910 40 90 | 1512 21 10 | 1518 00 39 |
| 0601 10 40 | 0712 20 00 | 0910 91 90 | 1512 21 90 | 1522 00 91 |
| 0601 10 90 | 0713 50 00 | 0910 99 99 | 1512 29 10 | |
| 0601 20 30 | 0713 90 10 | | 1512 29 90 | 1602 31 11 |
| 0601 20 90 | 0713 90 90 | 1106 10 00 | 1513 11 10 | 1602 31 19 |
| 0602 10 90 | | 1106 30 90 | 1513 11 91 | 1602 31 30 |
| 0602 20 90 | 0802 11 90 | | 1513 11 99 | 1602 31 90 |
| 0602 30 00 | 0802 12 90 | 1208 10 00 | 1513 19 11 | |
| 0602 40 10 | 0802 21 00 | 1209 11 00 | 1513 19 19 | 2001 90 20 |
| 0602 40 90 | 0802 22 00 | 1209 19 00 | 1513 19 30 | 2005 90 10 |
| 0602 90 10 | 0802 31 00 | 1209 21 00 | 1513 19 91 | |
| 0602 90 30 | 0802 32 00 | 1209 23 80 | 1513 19 99 | 2302 50 00 |
| 0602 90 41 | 0802 40 00 | 1209 29 50 | 1513 21 11 | 2306 90 19 |
| 0602 90 45 | 0802 90 50 | 1209 29 80 | 1513 21 19 | 2308 90 90 |
| 0602 90 49 | 0802 90 85 | 1209 30 00 | 1513 21 30 | 2309 10 51 |
| 0602 90 51 | 0806 20 11 | 1209 91 10 | 1513 21 90 | 2309 10 90 |
| 0602 90 59 | 0806 20 12 | 1209 91 90 | 1513 29 11 | 2309 90 10 |
| 0602 90 70 | 0806 20 91 | 1209 99 91 | 1513 29 19 | 2309 90 31 |
| 0602 90 91 | 0806 20 92 | 1209 99 99 | 1513 29 30 | 2309 90 41 |
| 0602 90 99 | 0806 20 98 | 1210 10 00 | | 2309 90 51 |
| 0603 10 10 | | 1210 20 10 | | |

(1) As defined in Commission Regulation (EC) No 2204/1999 of 12 October 1999, amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 278, 28.10.1999, p. 1).

*ANNEX A(b)*

**Imports into the Community of the following products originating in Latvia shall be subject to the concessions set out below**

(MFN = most favoured nation duty)

| Order No | CN code | Description (1) | Applicable duty (% of MFN) (2) | Annual quantity from 1.7.2000 to 30.6.2001 (tonnes) | Yearly increase as from 1.7.2001 (tonnes) | Specific provisions |
|---|---|---|---|---|---|---|
| 09.4598 | 0102 90 05 | Live bovine animals of a live weight not exceeding 80 kg | 20 | 178 000 head | 0 | (3) |
| 09.4537 | 0102 90 21<br>0102 90 29<br>0102 90 41<br>0102 90 49 | Live bovine animals of a live weight exceeding 80 kg but not exceeding 300 kg | 20 | 153 000 head | 0 | (3) |
| 09.4563 | ex 0102 90 | Heifers and cows not for slaughter of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau | 6 %<br>*ad valorem* | 7 000 head | 0 | (4) |
| 09.4037 | 0204 | Meat of sheep or goats | free | 125 | 5 | (5) |
| 09.4561 | 0201<br>0202 | Meat of bovine animals, fresh, chilled or frozen | 20 | 1 875 | 75 | (5) |
| 09.4540 | ex 0203 (6) | Meat of domestic swine, fresh, chilled or frozen | free | 1 250 | 125 | (7) (11) |
| 09.4544 | ex 0207 (8) | Meat and edible offal of the poultry of heading 0105, fresh, chilled or frozen | free | 625 | 65 | (11) |
| 09.4549 | 0402 10 19<br>0402 21 19 | Skimmed milk powder<br>Whole milk powder | free | 4 000 | 400 | |
| 09.4550 | 0402 29 | Whole milk powder, sweetened | 20 | 250 | 0 | |
| 09.4551 | 0405 10 | Butter | free | 1 875 | 190 | |
| 09.4552 | 0406 | Cheese and curd | free | 3 000 | 300 | (11) |
| | 0409 00 00 | Natural honey | 64 | Unlimited | | |
| 09.6621 | ex 0702 00 00 | Tomatoes, fresh or chilled, from 15 May to 31 October | free | 150 | 50 | (10) (11) |
| 09.6623 | 0703 20 00 | Garlic | free | 50 | 5 | |
| 09.6456 | 0704 90 10 | White cabbage and red cabbage | 20 | 440 | 0 | |

| Order No | CN code | Description (1) | Applicable duty (% of MFN) (2) | Annual quantity from 1.7.2000 to 30.6.2001 (tonnes) | Yearly increase as from 1.7.2001 (tonnes) | Specific provisions |
|---|---|---|---|---|---|---|
| 09.6457 | ex 0706 00 10 | Carrots | 20 | 250 | 0 | |
| | 0706 90 30 | Horse radish | 47 | Unlimited | | |
| | ex 0707 00 05 | Cucumbers, fresh or chilled, from 16 May to 31 October | 80 | Unlimited | | (10) |
| 09.6458 | 0710 10 00 | Potatoes, frozen | 20 | 250 | 0 | |
| 09.6625 | 0808 10 | Apples | free | 150 | 50 | (10) (11) |
| 09.6471 | 0811 10 | Strawberries, frozen | 20 | 250 | 0 | (9) |
| 09.6472 | 1104 12 90 | Oats, flaked | 20 | 375 | 0 | |
| 09.6473 | 1108 13 00 | Potato starch | 20 | 500 | 0 | |
| 09.4564 | 1601 00 | Sausages and similar products of meat, meat offal or blood | free | 150 | 15 | (11) |
| | 1602 41-49 | Other prepared or preserved meat, meat offal or blood of swine | | | | |
| 09.6627 | 1602 32-39 | Other prepared or preserved meat, meat offal or blood of fowls, of the species *Gallus domesticus* or of other | free | 100 | 10 | (11) |
| | 1602 50 10 | Prepared or preserved meat of bovine animals | 20 | 250 | 0 | |
| 09.6474 | 2001 10 | Cucumbers and gherkins, preserved | 20 | 190 | 0 | |
| 09.6475 | 2005 90 75 | Sauerkraut | 20 | 140 | 0 | |
| | | Apple juice of a density not exceeding 1,33 g/cm³ at 20 °C | 67 | Unlimited | | |
| | 2009 70 30 | Of a value exceeding EUR 18 per 100 kg net weight, containing added sugar | | | | |
| | 2009 70 93 | Of a value not exceeding EUR 18 per 100 kg net weight, with an added sugar content not exceeding 30 % by weight | | | | |
| | 2009 70 99 | Not containing added sugar | | | | |

(1) Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording of the description of the products is to be considered as having no more than indicative value, the preferential scheme being determined, within the context of this Annex, by the coverage of the CN code. Where ex CN codes are indicated, the preferential scheme is to be determined by application to the CN code and corresponding description taken together.

(2) In cases where an MFN minimum duty exists, the applicable minimum duty is equal to the MFN minimum duty multiplied by the percentage indicated in this column.

(3) The quota for this product is opened for Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and the Slovak Republic. Where it appears likely that total Community imports of live bovine animals may exceed 500 000 head in a given marketing year the Community may take the management measures needed to protect its market, notwithstanding any other rights given under the Agreement.

(4) The quota for this product is opened for Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and the Slovak Republic.

(5) The quota for this product is opened for Estonia, Latvia and Lithuania. The Community may take into account, in the framework of its legislation and when appropriate the supply needs of its market and the need to maintain its market balance.

(6) Except CN codes 0203 11 90, 0203 12 90, 0203 19 90, 0203 21 90, 0203 22 90, 0203 29 90.

(7) Excluding tenderloin presented alone.

(8) Except CN codes 0207 13 91, 0207 14 91, 0207 26 91, 0207 27 91, 0207 34 10, 0207 34 90, 0207 35 91, 0207 36 81, 0207 36 85 and 0207 36 89.

(9) Subject to minimum import price arrangements contained in the Annex to the present Annex.

(10) The reduction applies only to the *ad valorem* part of the duty.

(11) This concession is only applicable to products not benefiting from export refunds.

*Annex to Annex A(b)*

**Mimimum import price arrangements for certain soft fruit for processing**

1. Minimum import prices are fixed as follows for the following products for processing originating in the Republic of Latvia:

| CN code | Description | Minimum import price (EUR/100 kg net) |
|---|---|---|
| ex 0811 10 11 | Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content exceeding 13 % by weight: whole fruit | 75,0 |
| ex 0811 10 11 | Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content exceeding 13 % by weight: other | 57,6 |
| ex 0811 10 19 | Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: whole fruit | 75,0 |
| ex 0811 10 19 | Frozen strawberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: other | 57,6 |
| ex 0811 10 90 | Frozen strawberries, containing no added sugar or other sweetening matter: whole fruit | 75 |
| ex 0811 10 90 | Frozen strawberries, containing no added sugar or other sweetening matter: other | 57,6 |

2. The minimum import prices, as set out in paragraph 1, will be respected on a consignment-by-consignment basis. In the case of a customs declaration value being lower than the minimum import price, a countervailing duty will be charged equal to the difference between the minimum import price and the customs declaration value.

3. If the import prices of a given product covered by this Annex show a trend suggesting that the prices could go below the level of the minimum import prices in the immediate future, the European Commission will inform the Latvian authorities in order to enable them to correct the situation.

4. At the request of either the Community or Latvia, the Association Council shall examine the functioning of the system or the revision of the level of the minimum import prices. If appropriate, the Association Council shall take the necessary decisions.

5. To encourage and promote the development of trade and for the mutual benefit of all parties concerned, a consultation meeting will be organised three months before the beginning of each marketing year in the European Community. This consultation meeting will take place between the European Commission and the interested European producers' organisations for the products concerned, of the one part, and the authorities', producers' and exports' organisations of all the associated exporting countries, of the other part.

   During this consultation meeting, the market situation for soft fruit including, in particular, forecasts for production, stock situation, price evolution and possible market development, as well as possibilities of adapting supply to demand, will be discussed.