COUNCIL REGULATION (EC) No 2434/2000

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 the Slovak Republic

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 Slovak Republic, of the other part [1], provides for certain concessions for certain agricultural products originating in the Slovak Republic.

(2) Improvements to the preferential agreements of the Europe Agreement with the Slovak Republic 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 Slovak Republic, 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 98/638/EC [3].

(3) In accordance with the Directives adopted by the Council on 30 March 1999, the Commission and the Slovak Republic concluded on 4 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 21(5) of the Europe Agreement, establishing that the Community and the Slovak Republic 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 the Slovak Republic.

(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 the Slovak Republic.

(7) The Slovak Republic will take all 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 the Slovak Republic 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 (EC) 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 the Slovak Republic as set out in Annexes A(a) and A(b) to this Regulation shall replace those set out in Annex XI to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Slovak Republic, of the other part.

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.

[1] OJ L 359, 31.12.1994, p. 2.
[2] OJ L 306, 16.11.1998, p. 3.
[3] OJ L 306, 16.11.1998, p. 1.
[4] OJ L 184, 17.7.1999, p. 23.
[5] OJ L 253, 11.10.1993, p. 1. Regulation at last amended by Regulation (EC) No 1662/1999 (OJ L 197, 29.7.1999, p. 25).

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 XI to the Europe Agreement in accordance with the provisions of Regulation (EC) No 3066/95 [1] before the entry into force of this Regulation shall be fully counted against the quantities provided for in the 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 of 30 June 1992 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 that of 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 328, 30.12.1995, p. 31. Regulation as last amended by Regulation (EC) No 2435/98 (OJ L 303, 13.11.1998, 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 the Slovak Republic 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 90 00	0812 10 00	1209 91 90	1513 29 91
0104 20 10	0604 10 90	0812 90 30	1209 99 91	1513 29 99
0106 00 10	0604 91 21	0812 90 40	1209 99 99	1515 21 10
0106 00 20	0604 91 29	0812 90 50	1211 90 30	1515 21 90
	0604 91 41	0812 90 60	1212 10 10	1515 29 10
0205 00 11	0604 91 49	0812 90 70	1212 10 99	1515 29 90
0205 00 19	0604 91 90	0812 90 95	1214 90 10	1515 30 90
0205 00 90	0604 99 90	0813 10 00		1515 50 11
0206 80 91		0813 20 00		1515 50 19
0206 90 91	0701 10 00	0813 30 00		1515 50 91
0207 13 91	0703 10 11	0813 40 10	1302 19 05	1515 50 99
0207 14 91	0703 20 00	0813 40 30		1515 90 29
0207 26 91	0703 90 00	0813 40 50		1515 90 39
0207 27 91	0709 51 30	0813 40 95		1515 90 40
0207 35 91	0709 51 50	0813 50 12	1503 00 19	1515 90 59
0207 36 89	0709 51 90	0813 50 15	1503 00 90	1515 90 60
0208 10 11	0709 52 00	0813 50 19	1504 10 10	1516 20 96
0208 10 19	0709 90 40	0813 50 31	1504 10 99	1518 00 31
0208 20 00	0709 90 50	0813 50 39	1504 20 10	1518 00 39
0208 90 10	0710 80 59	0813 50 91	1504 30 10	1518 00 91
0208 90 50	0711 10 00	0813 50 99	1507 10 10	1518 00 95
0208 90 60	0711 30 00	0814 00 00	1507 10 90	1522 00 91
0208 90 80	0711 90 10		1507 90 10	2008 19 11
0210 90 10	0711 90 70	0901 12 00	1507 90 90	2008 19 51
0210 90 79	0713 50 00	0901 21 00	1508 10 90	2008 92 72
	0713 90 10	0901 22 00	1508 90 10	2302 50 00
0407 00 90	0713 90 90	0902 10 00	1508 90 90	2306 90 19
0410 00 00	0714 90 90	0904 12 00	1511 10 90	2308 90 90
		0904 20 10	1511 90 19	2309 10 13
0601 10 10	0802 12 90	0904 20 90	1511 90 91	2309 10 15
0601 10 20	0802 21 00	0905 00 00	1511 90 99	2309 10 19
0601 10 30	0802 22 00	0907 00 00	1512 21 10	2309 10 33
0601 10 40	0802 31 00	0910 20 90	1512 21 90	2309 10 39
0601 10 90	0802 32 00	0910 40 13	1512 29 10	2309 10 51
0601 20 30	0802 40 00	0910 40 19	1512 29 90	2309 10 53
0601 20 90	0802 50 00	0910 40 90	1513 11 10	2309 10 59
0602 10 90	0802 90 50	0910 91 90	1513 11 91	2309 10 70
0602 20 90	0802 90 60	0910 99 99	1513 11 99	2309 10 90
0602 30 00	0802 90 85		1513 19 11	2309 90 10
0602 40 10	0806 20 11	1006 10 10	1513 19 19	2309 90 31
0602 40 90	0806 20 12	1007 00 10	1513 19 30	2309 90 33
0602 90 10	0806 20 18		1513 19 91	2309 90 35
0602 90 30	0806 20 91	1106 10 00	1513 19 99	2309 90 39
0602 90 41	0806 20 92	1106 30 90	1513 21 11	2309 90 41
0602 90 45	0806 20 98		1513 21 19	2309 90 43
0602 90 49	0808 20 90	1208 10 00	1513 21 30	2309 90 49
0602 90 51	0810 40 30	1209 11 00	1513 21 90	2309 90 51
0602 90 59	0810 40 50	1209 19 00	1513 29 11	2309 90 53
0602 90 70	0810 40 90	1209 21 00	1513 29 19	2309 90 59
0602 90 91	0810 50 00	1209 23 80	1513 29 30	2309 90 70
0602 90 99	0810 90 85	1209 29 50	1513 29 50	2309 90 91
0603 10 30	0811 90 70	1209 29 80		2309 90 93
0603 10 40	0811 90 85	1209 30 00		2309 90 95
0603 10 50		1209 91 10		2309 90 97

(1) As defined in Commission Regulation (EC) No 2204/1999 of 12 October 1999, anmending 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 the Slovak Republic shall be subject to the concessions set out below

(MFN = most favoured nation duty)

Order No	CN code	Description (1)	Applicable duty (% MFN) (2)	Annual quantity from 1.7.2000 to 30.6.2001 (tonnes)	Yearly increase as from 1.7.2001 (tonnes)	Specific provisions
	0101 19 90	Live horses, other than for slaughter	67	unlimited		
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 0102 90 29 0102 90 41 0102 90 49	Live bovine animals of a live weight exceeding 80 kg but not exceeding 300 kg		153 000 head	0	(3)
09.4563	ex 0102 90	Hefers and cows not for slaughter of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau	6 % *ad valorem*	7 000 head	0	(4)
09.4575	0104 10 30 0104 10 80 0104 20 90	Live sheep or goats	free	4 300	0	(5)
	0204	Meat of sheep or goats				
09.4624	0201 0202	Meat of bovines, fresh, chilled or frozen	20	3 500	0	
09.4632	ex 0203	Meat of doemstic swine, fresh, chilled or frozen	free	2 000	300	(8) (11)
	0210 11 to 0210 19	Meat of swine, salted, in brine, dried or smoked				(8)
09.4633	ex 0207	Poultry meat, chilled or frozen (other than 0207 13 91, 14 91, 26 91, 27 91, 35 91, 36 89)	free	1 200	180	(8)
	1602 31 to 1602 39	Prepared or preserved meat of poultry				
09.4611	0402 10 19 0402 21 19 0402 21 91	Skimmed milk powder Whole milk powder Whole milk powder	20	1 500	0	
09.4612	0405 10 11 0405 10 19 0405 10 30 0405 10 50 0405 20 90	Butter	20	750	0	
09.4613	0406	Cheese and curd	free	2 200	330	(8)
09.4614	0407 00 11 0407 00 19 0407 00 30	Eggs of poultry in shell	20	3 125	0	

Order No	CN code	Description (1)	Applicable duty (% MFN) (2)	Annual quantity from 1.7.2000 to 30.6.2001 (tonnes)	Yearly increase as from 1.7.2001 (tonnes)	Specific provisions
09.4615	0408 11 80 0408 19 81 0408 19 89	Egg yolks, dried Egg yolks, liquid Egg yolks, frozen	20	250	0	(9)
09.4616	0408 91 80 0408 99 80	Birds' eggs, dried Birds' eggs, other	20	1 250	0	(10)
09.5561	0409 00 00	Natural honey	17	160	0	
	0409 00 00	Natural honey	93	unlimited		
09.5294	0603 10 10 0603 10 20 0603 10 80	Cut blowers and flower buds, fresh	20	125	0	
09.5771	0702 00 00	Tomatoes, fresh or chilled	free	2 000	300	(7) (8)
	ex 0707 00 05	Cucumbers, fresh or chilled (from 16 May to 31 October)	80	unlimited		(7)
	ex 0708 10 00	Fresh or chilled peas, from 1 September to 31 May	free	unlimited		
09.5773	ex 0708 10 00	Fresh or chilled peas, from 1 June to 31 August	free	100	15	
09.5775	0709 20 00	Asparagus	free	400	60	
09.5295	0709 51 10	Mushrooms	free	250	0	
09.5777	0710 10 00	Potatoes, frozen	free	100	15	
	0711 40 00	Cucumbers and gherkins	80	unlimited		
	0712 20 00 ex 0712 90 90	Onions Horseradish	50 free	unlimited unlimited		
09.5286	0808 10	Apples, fresh	free	250	0	
09.5779	ex 0809 20 05	Sour cherries, for processing	free	100	15	(7)
	0809 20 05	Sour cherries, fresh	73	unlimited		(7)
	0809 40 90	Sloes	47	unlimited		
09.5535	0810 20	Raspberries, blackberries, mulberries and loganberries	free	250	0	(6)
	0810 20 10	Raspberries, fresh	41	unlimited		
09.5781	0810 30 10	Blackcurrants, fresh	free	100	15	
	0810 30 10	Blackcurrants, fresh	41	unlimited		
09.5783	0810 30 30	Redcurrants, fresh	free	100	15	
	0810 30 30	Redcurrants, fresh	41	unlimited		
	0810 30 90	Other berries	24	unlimited		

Order No	CN code	Description (1)	Applicable duty (% MFN) (2)	Annual quantity from 1.7.2000 to 30.6.2001 (tonnes)	Yearly increase as from 1.7.2001 (tonnes)	Specific provisions
	0811 10 90	Strawberries, frozen	36	unlimited		(6)
09.5785	0811 20 19	Berries, frozen, sugar content not more than 13 % by weight	free	100	15	
	ex 0811 20 19	Raspberries, frozen, sugar content not more than 13 % by weight	34	unlimited		
09.5787	0811 20 31	Raspberries, frozen	free	100	15	
	0811 20 31	Raspberries, frozen	39	unlimited		
09.5789	0811 20 39	Blackcurrants, frozen	free	250	40	
	0811 20 39	Blackcurrants, frozen	28	unlimited		
09.5791	0811 20 51	Redcurrants, frozen	free	270	40	
	0811 20 51	Redcurrants, frozen	33	unlimited		
09.5292	0811 20 90	Berries, frozen, other (gooseberries)	33	500	0	
09.5793	0811 90 50	Fruits of the species *Vaccinium myrtillus*, frozen	free	250	40	(6)
09.5795	0811 90 75	Sour cherries, frozen	free	150	25	
09.5797	ex 0811 90 95	Other fruits and nuts frozen (excluding rose-hips)	free	900	135	
09.5291	ex 0811 90 95	Other fruits and nuts frozen (excluding rose-hips)	33	3 125	0	
	ex 0811 90 95	Rose-hips	free	unlimited		
09.5287	ex 0811	Other than 0811 10 90, 20 19, 20 31, 20 39, 20 51, 90 70, 90 85	20	250	0	
09.4617	ex 1003 00 90	Barley, for the production of malt	20	17 000	0	
09.4618	1001 00 00	Wheat flour	20	16 875	0	
09.4619	1107 10 99	Malt, not roasted, other than of wheat	free	18 125	0	
09.5171	1210 10 00 1210 20 00	Hops	free	875	0	
09.4634	1601 00 1602 41 to 1602 49	Sausages and similar products Prepared or preserved meat of swine	free	200	50	(8)
	1602 50 31 1602 50 39 1602 50 80	Other prepared or preserved meat, meat offal or blood of bovine animal, other	65 65 65	unlimited		
09.5296	2001 10 00	Cucumbers, preserved	free	125	0	
	2001 90 20	Fruits of the genus *Capsicum*, other than sweet peppers	50	unlimited		
09.5799	ex 2001 90 96	Asparagus	free	100	15	
09.5601	2002	Tomatoes, prepared or preserved	free	1 000	150	(8)

Order No	CN code	Description (1)	Applicable duty (% MFN) (2)	Annual quantity from 1.7.2000 to 30.6.2001 (tonnes)	Yearly increase as from 1.7.2001 (tonnes)	Specific provisions
09.5801	2005 60 00	Asparagus	free	100	15	
	2007 99 10	Plum purée and paste	86	unlimited		
	2007 99 31	Cherry jams, jellies, marmalades, purées and pastes with a sugar content exceeding 30 % by weight	83			(7)
09.5803	2009 11 19	Fruit juices	free	300	100	
	2009 11 99					
	2009 19 19					
	2009 19 99					
	2009 20 19					
	2009 20 99					
	2009 30 19					
	2009 30 39					
	2009 30 55					
	2009 30 59					
	2009 30 95					
	2009 30 99					
	2009 40 19					
	2009 40 93					
	2009 40 99					
	2009 60 11					(7)
	2009 60 19					(7)
	2009 60 51					(7)
	2009 60 59					(7)
	2009 60 90					(7)
09.5539	2009 70	Apple juice	free	250	0	(7)
	2009 70 30	Apple juice	48	unlimited		
	2009 70 93	Apple juice	48	unlimited		
	2009 70 99	Apple juice	48	unlimited		
	2009 80 99	Black currant juice	36	unlimited		

(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 a 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 Slovakia. 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, not withstanding 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 Slovakia.

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

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

(8) This concession is only applicable to products not benefiting from any kind of export subsidies.

(9) As liquid egg yolk equivalent: 1 kg dried egg yolks = 2,12 kg liquid eggs.

(10) As liquid equivalent: 1 kg dried eggs = 3,9 kg liquid eggs

(11) Excluding tenderloin presented alone.

Annex to Annex A(b)

Minimum import price arrangement for certain soft fruit for processing

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

CN code	Description	Minimum import price (EUR/100 kg net)
ex 0810 20 10	Raspberries, fresh	63,1
ex 0810 30 10	Blackcurrants, fresh	38,5
ex 0810 30 30	Redcurrants, fresh	23,3
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter: whole fruit	75,0
ex 0811 10 90	Frozen strawberries, containing no added sugar or other sweetening matter: other	57,6
ex 0811 20 19	Frozen raspberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: whole fruit	99,5
ex 0811 20 19	Frozen raspberries, containing added sugar or other sweetening matter, with a sugar content not exceeding 13 % by weight: other	79,6
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: whole fruit	99,5
ex 0811 20 31	Frozen raspberries, containing no added sugar or other sweetening matter: other	79,6
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: without stalk	62,8
ex 0811 20 39	Frozen blackcurrants, containing no added sugar or other sweetening matter: other	44,8
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter: without stalk	39,0
ex 0811 20 51	Frozen redcurrants, containing no added sugar or other sweetening matter: other	29,5

2. The minimum import prices, as set out in point 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 Slovak Republic authorities in order to enable them to correct the situation.

4. At the request of either the Community or the Slovak Republic, the Association Committee shall examine the functioning of the system or the revision of the level of the minimum import prices. If appropriate, the Association Committee 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 exporters' 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 to adapt supply to demand, will be discussed.