COUNCIL REGULATION (EC) No 2766/2000

of 14 December 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 Lithuania

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

(2) Improvements to the preferential agreements of the Europe Agreement with Lithuania 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 Lithuania, of the other part, to take into account of the accession of the Republic of Austria, of the Republic of Finland and of the Kingdom of Sweden to the European Union and the outcome of the Uruguay Round negotiations on agriculture including improvement to the existing preferential agreements [2]. The Council approved the abovementioned Protocol on behalf of the Community by Decision 98/677/EC [3].

(3) In accordance with the directives adopted by the Council on 30 March 1999, the Commission and the Republic of Lithuania concluded on 5 June 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 Lithuania 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 Lithuania.

(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 Lithuania.

(7) Lithuania 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 Lithuania 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 Lithuania 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 Lithuania, 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 Annex 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 51, 20.2.1998, p. 3.
[2] OJ L 321, 30.11.1998, p. 3.
[3] OJ L 321, 30.11.1998, 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 Regulation (EC) No 1602/2000 (OJ L 188, 26.7.2000, p. 1).

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 V(a) 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 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 (EC) 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, hereafter 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 January 2001.

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

Done at Brussels, 14 December 2000.

For the Council

The President

D. GILLOT

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

(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 Lithuania shall be subject to the concessions set out below

(MFN = Most Favoured Nation duty)

Order No	CN code	Description (1)	Applicable duty 1.7.2000-30.6.2001 (% of MFN) (2)	Annual quantity 1.7.2000-30.6.2001 (tonnes)	Applicable duty 1.7.2000-31.12.2000 (% of MFN) (2)	Quantity for the period 1.7.2000-31.12.2000 (tonnes)	Applicable duty 1.1.2001-30.6.2001 (% of MFN) (2)	Quantity for the period 1.1.2001-30.6.2001 (tonnes)	Applicable duty as from 1.7.2001 (% of MFN) (2)	Annual quantity from 1.7.2001 until 30.6.2002	Yearly increase as from 1.7.2002 (tonnes)	Specific provisions
	0101 19 10 0101 19 90	Live horses: Horses for slaughter Other	free 64	unlimited	—	—	—	—	free 64	unlimited	—	
09.4598	0102 90 05	Live bovine animals of a live weight not exceeding 80 kg	20	178 000 head	—	—	—	—	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	20	153 000 head					20	153 000 head	0	(3)
09.4563	ex 0102 90	Heifers and cows not for slaugther of the following mountain breeds: grey, brown, yellow, spotted Simmental and Pinzgau	6 % *ad valorem*	7 000 head	—	—	—	—	6 % *ad valorem*	7 000 head	0	(4)
09.4037	0204	Meat of sheep or goats	free	125	—	—	—	—	free	125	5	(5)
09.4561	0201 0202	Meat of bovine animals, fresh, chilled or frozen	20	1 875	—	—	—	—	20	1 875	75	(5)
09.4542	ex 0203 (6)	Meat of domestic swine, fresh, chillled or frozen	—	—	20	625	free	750	free	1 650	150	(7) (11)
09.4545	0207 11 30 0207 11 90 0207 12 10 0207 12 90 0207 13 50 0207 13 60 0207 14 50 0207 14 60	Chicken carcases; breast of chicken; legs of chicken	—	—	20	312,5	—	—	—	—	—	

Order No	CN code	Description (1)	Applicable duty 1.7.2000-30.6.2001 (% of MFN) (2)	Annual quantity 1.7.2000-30.6.2001 (tonnes)	Applicable duty 1.7.2000-31.12.2000 (% of MFN) (2)	Quantity for the period 1.7.2000-31.12.2000 (tonnes)	Applicable duty 1.1.2001-30.6.2001 (% of MFN) (2)	Quantity for the period 1.1.2001-30.6.2001 (tonnes)	Applicable duty as from 1.7.2001 (% of MFN) (2)	Annual quantity from 1.7.2001 until 30.6.2002	Yearly increase as from 1.7.2002 (tonnes)	Specific provisions
09.4568	ex 0207 (8)	Meat and edible offal of the poultry of heading 0105, fresh, chilled or frozen	—	—	—	—	free	500	free	1 100	100	(11)
09.4554	0402 10 19 0402 21 19	Skimmed milk powder Whole milk powder	—	—	20	2 187,5	free	2 500	free	5 500	500	
09.4567	0402 99 11	Milk or cream, condensed, added sugar	20	300	—	—	—	—	20	300	0	
09.4556	0405 10 11 0405 10 19	Butter	—	—	20	750	free	875	free	1 925	175	
09.4557	0406	Cheese and curd	—	—	20	875	free	3 000	free	6 600	600	(11)
	0409 00 00	Natural honey	64	unlimited	—	—	—	—	64	unlimited	—	
09.6452	0702 00	Tomatoes	—	—	20	62,5	—	—	—	—	—	
09.6452	ex 0702 00 00	Tomatoes, fresh or chilled, from 1 November until 14 May	—	—	—	—	free	65	free	140	15	(10) (11)
09.6453	0703 20 00	Garlic	—	—	20	62,5	free	25	free	55	5	
	ex 0707 00 05	Cucumbers, fresh or chilled, from 16 May to 31 October	80	unlimited	—	—	—	—	80	unlimited	—	(10)
09.6460	0808 10 10	Cider apples in bulk from 16 September to 15 December	—	—	20	625	—	—	—	—	—	
09.6631	0808 10	Apples	—	—	—	—	free	1 150	free	2 530	230	(10) (11)
	0810 30 10	Blackcurrants, fresh	40	unlimited	—	—	—	—	40	unlimited	—	(9)

Order No	CN code	Description (1)	Applicable duty 1.7.2000-30.6.2001 (% of MFN) (2)	Annual quantity 1.7.2000-30.6.2001 (tonnes)	Applicable duty 1.7.2000-31.12.2000 (% of MFN) (2)	Quantity for the period 1.7.2000-31.12.2000 (tonnes)	Applicable duty 1.1.2001-30.6.2001 (% of MFN) (2)	Quantity for the period 1.1.2001-30.6.2001 (tonnes)	Applicable duty as from 1.7.2001 (% of MFN) (2)	Annual quantity from 1.7.2001 until 30.6.2002	Yearly increase as from 1.7.2002 (tonnes)	Specific provisions
09.4569	1601 00 1602 41-49	Sausages and similar products of meat, meat offal or blood Other prepared or preserved meat, meat offal or bloof of swine	—	—	—	—	free	150	free	330	30	(11)
09.4570	1602 32-39	Other prepared or preserved meat, meat offal or blood of fowls, of the species *Gallus domesticus* or of other	—	—	—	—	free	100	free	220	20	(11)
	2009 70 30 2009 70 93 2009 70 99	Apple juice of a density not exceeding 1,33 g/cm³ at 20 °C. Of a value exceeding 18 EUR per 100 kg net weight, containing added sugar. Of a value not exceeding 18 EUR per 100 kg net weight, with an added sugar content not exceeding 30 % by weight Not containing added sugar	67	unlimited	—	—	—	—	67	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 the Slovak Republic. Where it appears likely that total Community imports of live bovine animals may exceed 500 000 heads 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 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 *ad valorem* part of the duty.
(11) This concession is only applicable to products not benefiting from export refunds.

Annex to Annex A(b)

Minimum 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 Lithuania:

CN code	Description	Minimum import price (EUR/100 kg net)
ex 0810 30 10	Blackcurrants, fresh, intended for processing	38,5

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 Lithuanian authorities in order to enable them to correct the situation.

4. At the request of either the Community or Lithuania, 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 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.