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COUNCIL REGULATION (EC) No 838/2006

of 20 March 2006

concerning the implementation of the Agreement in the form of an Exchange of Letters between the European Community and the People's Republic of China pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Union, amending and supplementing Annex I to Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

(OJ L 154, 8.6.2006, p. 1)

Corrected by:

►C1 Corrigendum, OJ L 51, 26.2.2008, p. 26 (838/2006)

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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) Council Regulation (EEC) No 2658/87 ([1]) established a goods nomenclature, hereinafter referred to as the 'Combined Nomenclature', and set out the conventional duty rates of the Common Customs Tariff.

(2) By Decision 2006/398/EC of 20 March 2006 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the People's Republic of China pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the course of their accession to the European Union ([2]), the Council approved the said Agreement on behalf of the Community, with a view to closing negotiations initiated pursuant to Article XXIV:6 of GATT 1994.

(3) Regulation (EEC) No 2658/87 should therefore be amended and supplemented accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2658/87 shall be amended as follows:

(a) in Part two, Schedule of customs duties, the duty rates shall be amended as shown in point (a) of the Annex to this Regulation;

(b) Annex 7 of Section III of Part three, WTO Tariff Quotas to be opened by the competent Community authorities, shall be amended with the duties and supplemented with the volumes following the terms and conditions shown in point (b) of the Annex to this Regulation.

([1]) OJ L 256, 7.9.1987, p. 1. Regulation as last amended by Regulation (EC) No 486/2006 (OJ L 88, 25.3.2006, p. 1).

([2]) See page 22 of this Official Journal.

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Article 2

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

Article 1, point (b) shall apply six weeks from the date of the publication of this Regulation.

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

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ANNEX

Notwithstanding the rules for the interpretation of the Combined Nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the concessions being determined, within the context of this Annex, by the coverage of the CN codes as they exist at the time of adoption of the current regulation. Where ex CN codes are indicated, the concessions are to be determined by application of the CN code and corresponding description taken together.

(a) In Annex I to Regulation (EEC) No 2658/87, Part two, Schedule of customs duties, the duty rates are the following:

CN code	Description	Duty rate
Tariff item number 0304 20 85	Frozen fillets of Alaska pollack (Theragra chalcogramma)	bound duty of 13,7 %
Tariff item number 6402 19 00	Other footwear with outer soles and uppers of rubber or plastics	bound duty of 16,9 %
Tariff item number 6402 91 00	Other footwear covering the ankle with outer soles and uppers of rubber or plastics	bound duty of 16,9 %
Tariff item number 6402 99	Other footwear with outer soles and uppers of rubber or plastics	bound duty of 16,8 %
Tariff item number 6404 11 00	Sports footwear; tennis shoes, basketball shoes, gym shoes, training shoes and the like	bound duty of 16,9 %
Tariff item number 6404 19 10	Slippers and other indoor footwear	bound duty of 16,9 %
Tariff item number 8482 91 90	Other balls, needles and rollers	bound duty of 7,7 %
Tariff item number 8521 90 00	Other video recording or reproducing apparatus, whether or not incorporating a video tuner	bound duty of 13,9 %
Tariff item number 8712 00 30	Bicycles not motorised	bound duty of 14 %

(b) Annex 7, WTO Tariff Quotas to be opened by the competent Community authorities, Part three, Section III of Annex I to Regulation (EEC) No 2658/87, the other terms and conditions are the following:

CN code	Description	Other terms and conditions
Tariff item number 0703 20 00	Garlic, fresh or chilled	Add 20 500 tonnes to the allocation for China under the EC tariff rate quota
Tariff item number 1006 10	Paddy rice	Implemented through Council Regulation (EC) No 683/2006 ([1])
Tariff item number 1006 20	Husked rice	Implemented through Council Regulation (EC) No 683/2006
Tariff item number 1006 30	Milled and semi-milled rice	Implemented through Council Regulation (EC) No 683/2006
Tariff item number 1006 40	Broken rice	Implemented through Council Regulation (EC) No 683/2006

([1]) OJ L 120, 5.5.2006, p. 1.

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CN code	Description	Other terms and conditions
Tariff item number 2003 10 30	Mushroom of species agaricus, prepared or preserved otherwise than by vinegar	Add 5 200 tonnes (drained net weight) in EC tariff rate quota, allocated to China
Tariff item number 2003 10 20	Mushroom of species agaricus, provisionally preserved or preserved otherwise than by vinegar	
Tariff item number 0711 51 00		
Tariff item numbers (1)	Preserved pineapples, citrus fruit, pears, apricots, cherries, peaches and strawberries	►C1 Implemented through Council Regulation (EC) No 711/2006 ◄

(1) 2008 20 11: EUR 25,6 + 2,5 100 kg/net
2008 20 19: 25,6
2008 20 31: EUR 25,6 + 2,5 100 kg/net
2008 20 39: 25,6
2008 20 71: 20,8
2008 30 11: 25,6
2008 30 19: EUR 25,6 + 4,2 100 kg/net
2008 30 31: 24
2008 30 39: 25,6
2008 30 79: 20,8
2008 40 11: 25,6
2008 40 19: EUR 25,6 + 4,2 100 kg/net
2008 40 21: 24
2008 40 29: 25,6
2008 40 31: EUR 25,6 + 4,2 100 kg/net
2008 40 39: 25,6
2008 50 11: 25,6
2008 50 19: EUR 25,6 + 4,2 100 kg/net
2008 50 31: 24
2008 50 39: 25,6
2008 50 51: EUR 25,6 + 4,2 100 kg/net
2008 50 59: 25,6
2008 50 71: 20,8
2008 60 11: 25,6
2008 60 19: EUR 25,6 + 4,2 100 kg/net
2008 60 31: 24
2008 60 39: 25,6
2008 60 60: 20,8
2008 70 11: 25,6
►C1 2008 70 19: EUR 25,6 + 4,2 100 kg/net ◄
2008 70 31: 24
2008 70 39: 25,6
2008 70 51: EUR 25,6 + 4,2 100 kg/net
2008 70 59: 25,6
2008 80 11: 25,6
2008 80 19: EUR 25,6 + 4,2 100 kg/net
2008 80 31: 24
2008 80 39: 25,6
2008 80 70: 20,8