



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19.10.1995
COM(95) 484final

95/ 0259 (ACC)

Proposal for a

COUNCIL REGULATION (EC)

amending Council Regulation (EC) No 992/95 opening and providing for the administration of Community tariff quotas for certain agricultural and fishery products originating in Norway and opening and providing for the administration of Community tariff quotas for live horses originating in Iceland

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. By Council Regulation (EC) No 992/95 the Community undertook to open Community tariff quotas for a number of agricultural and fishery products originating in Norway.

The quotas are opened in accordance with the provisions of the Preferential Agreement of 14 May 1973 between the Community and Norway.

The Agreement was amended by Council Decision 86/557/EEC following the accession of Spain and Portugal to the Community.

2. The Act of Accession of Austria, Finland and Sweden requires further adjustment of the above Preferential Agreement as from 1 January this year, to take into account the trade arrangements for fishery products between the three new Member States and Norway.
3. Consequently, the Community has concluded an Additional protocol to the Agreement with Norway under which the Community opens tariff quotas for certain fishery products originating in Norway from 1 January to 31 December each year.

As it was not possible to begin implementing these measures before 1 July, provision has to be made to open quotas for six months, but for the full annual volume.

4. Furthermore, the Community has concluded Agreements in the form of exchange of letters with Iceland, Norway and Switzerland on certain agricultural products. These Agreements are the result of negotiations held in order to take over bilateral concessions which had existed between the three new Member States and those three countries before the enlargement. In the abovementioned Agreements the Community has notably undertaken to open from 1 January 1995 annual Community tariff quotas at zero duty for certain fats and oils of fish originating in Norway and for live horses originating in Iceland.

Proposal for a Council Regulation

amending Council Regulation (EC) No 992/95 opening and providing for the administration of Community tariff quotas for certain agricultural and fishery products originating in Norway and opening and providing for the administration of Community tariff quotas for live horses originating in Iceland

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 Act of Accession of Austria, Finland and Sweden,

Having regard to the proposal from the Commission,

Whereas pursuant to the provisions of Council Regulation (EC) No 992/95 of 10 April 1995¹ Community tariff quotas have been opened for certain agricultural and fishery products originating in Norway; whereas the quotas were granted under an Agreement between the European Economic Community and the Kingdom of Norway concluded on 14 May 1973²; whereas, following the accession of Spain and Portugal to the Community, an Agreement in the form of exchanges of letters was concluded between the Community and Norway and approved by Council Decision 86/557/EEC³;

Whereas, following the accession of Austria, Finland and Sweden, the abovementioned quotas have to be adjusted to take into account, *inter alia*, the existing trade arrangements for fishery products between these countries and Norway;

Whereas an Additional Protocol to the above Agreement has therefore been concluded between the Community and Norway and approved by a Council Decision⁴; whereas by the provisions of this Protocol the Community has undertaken to open, each year and subject to certain conditions, Community tariff quotas at zero duty for a number of fishery products originating in Norway;

Whereas the tariff quotas should accordingly be opened from 1 January to 31 December each year; whereas it has not been possible to implement these concessions before 1 July this year and therefore, exceptionally for 1995, provision must be made for the quotas to be opened for the period from 1 July to 31 December, but for the full annual volume,

Whereas Agreements in the form of exchange of letters for certain agricultural products were concluded between the Community, on the one hand, and the Republic of Iceland, the Kingdom of Norway and Switzerland, on the other hand, and approved by Council Decision 95/ /CE⁵; whereas in the abovementioned Agreements the Community has undertaken to open from 1 January 1995 annual Community tariff quotas at zero duty for certain agricultural products from Iceland and Norway.

(1) OJ No L 101, 4.5.1995, p. 1.

(2) OJ No L 171, 27.6.1993, p. 2.

(3) OJ No L 328, 22.11.1986, p. 76.

(4) OJ No L 187, 8.8.1995, p.15

(5) OJ No L

HAS ADOPTED THIS REGULATION:

Article 1

Council Regulation (EC) n° 992/95 shall be modified as follows:

1. In the Title, the following phrase shall be added: "and opening and providing for the administration of Community tariff quotas for live horses originating in Iceland"
2. Annexes I and II shall be replaced by Annexes I and II of this Regulation; Annex III shall be added.
3. In Article 1 (3) shall be replaced by the following text :

"The provisions of the Protocol defining the concept of originating products and setting out the arrangements for administrative cooperation⁶ annexed to the Agreement between the European Economic Community and the Kingdom of Norway, as amended by the provisions of Article 3 of the Additional Protocol to the Agreement, shall apply."

4. In Article 1 (4) shall be added as follows:

"The provisions of the Protocol 3 of the Agreement between the European Economic Community and the Republic of Iceland defining the concept of originating products and setting out the arrangements for administrative cooperation as amended at last by Decision No. 1/94 of the EC-Iceland Joint Committee of the 8 March 1994⁷ shall apply."

Article 2

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

Annexes I and II shall apply from 1 January 1995 or during the periods indicated in Annex I; Annex III shall apply from 1 January 1995.

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

Done at Brussels,

For the Council
The President

(6) OJ No L 171, 27.6.1973, p. 1, as amended by Decision No 1/94 of the EC-Norway Joint Committee (OJ No L 204, 6.8.1994 p. 90) and further amended by the Additional Protocol (OJ No L 187, 8.8.95, p. 15).

(7) OJ No L 204, 6.8.1994, p. 62

Order No	CN code (1)	Description	Amount of quotas (tonne)	Quota duty (%)
09.0715	0302 11 00 0303 21 00	trout, fresh or chilled frozen trout	500 (2)	0
09.0716	0302 12 00	salmon, fresh or chilled	6 100 (2)	0
09.0717	0303 10 00 ex 0303 22 00	frozen Pacific salmon frozen Atlantic salmon	580 (2)	0
09.0718	0304 10 13 0304 20 13	salmon fillets, fresh or chilled frozen salmon fillets	610 (2)	0
09.0719	0302 19 00 0303 29 00	other Salmonidae, fresh or chilled other frozen Salmonidae	670 (2)	0
09.0720	0302 69 45	ling, fresh or chilled	370 (2)	0
09.0721	0302 22 00 0302 23 00 0302 29 10 0302 29 90 0303 39 10 0303 39 20 0303 39 30 0303 39 80 0302 69 65 0302 69 81 0302 69 86 0302 69 87 0302 69 91 0302 69 92 0302 69 93 0302 69 96	plaice, fresh or chilled sole, fresh or chilled megrim, fresh or chilled other frozen flounder frozen megrim frozen fish of the genus Rhombosolea other hake, fresh or chilled monkfish, fresh or chilled southern blue whiting, fresh or chilled fresh or chilled sword fish fresh or chilled horse mackerel pink cusk-eel, fresh or chilled fish of the species Kathetostoma giganteum other	250 (2)	0

(1) See Taric codes in Annex II.

(2) Volumes applicable from 1 July to 31 December 95 and after 1 January to 31 December of each year.

Order No	CN code (1)	Description	Amount of quotas (tonnes)	Quota duty (%)
09.0722	0304 90 35 0304 90 38 0304 90 39 0304 90 41 0304 90 45 0304 90 47 0304 90 49 0304 90 59 0304 90 61 0304 90 65 ex0304 90 97	frozen meat of cod and of fish of the species <i>Boreogadus saida</i> other frozen coalfish meat frozen haddock meat frozen hake meat frozen hake meat frozen meat of blue whiting meat of Alaska pollack, frozen meat of swordfish, frozen frozen meat of saltwater fish, excluding mackerel	500 (2)	0
09.0723	0302 40 90 0303 50 90	herrings, fresh or chilled from 16 June to 14 February frozen herrings, from 16 June to 14 February	800 (3)	0
09.0724	0302 64 90	mackerel, fresh or chilled, from 16 June to 14 February	260 (3)	0
09.0725	0303 74 19	frozen mackerel, from 16 June to 14 February	100 (3)	0
09.0726	0302 69 31 0302 69 33 0303 79 35 0303 79 37	redfish (<i>Sebastes</i> spp.), fresh or chilled redfish (<i>Sebastes</i> spp.), frozen	130 (2)	0

(1) See Taric codes in Annex II.

(2) Volumes applicable from 1 July to 31 December 95 and after 1 January to 31 December of each year.

(3) Volumes applicable from 1 July 1995.

Order No	CN code (1)	Description	Amount of quotas (tonnes)	Quota duty (%)
09.0727	0304 10 19 0304 20 19	fillets of other freshwater fish, fresh or chilled frozen fillets of other freshwater fish	110 (2)	0
09.0728	0304 10 33 0304 10 35 0304 10 38	fillets of coalfish, fresh or chilled fillets of redfish, fresh or chilled other	180 (2)	0
09.0729	0304 10 92 0304 10 93 0304 10 98	flaps of herring, fresh or chilled other	130 (2)	0
09.0730	0304 20 21 0304 20 29 0304 20 31 0304 20 33 0304 20 35 0304 20 37 0304 20 57 0304 20 59 0304 20 71 0304 20 83 0304 20 85 0304 20 87 0304 20 91 0304 20 96	frozen fillets of cod and of fish of the species <i>Boreogadus saida</i> frozen coalfish fillets frozen haddock fillets frozen fillets of redfish frozen filet of the species <i>Sebastes marinus</i> frozen hake fillets (genus <i>Merluccius</i>) frozen hake fillets (genus <i>Urophycis</i>) frozen plaice fillets frozen fillets of monkfish frozen fillets of Alaska pollack frozen fillets of swordfish frozen fillets of blue grenadier other	9 000 (2)	0
09.0731	ex0305 20 00	livers and roes, dried, salted or in brine, but not smoked	1 900 (2)	0
09.0732	0305 41 00	smoked salmon	450 (2)	0

(1) See Taric codes in Annex II.

(2) Volumes applicable from 1 July to 31 December 95 and after 1 January to 31 December of each year.

Order No	CN code (1)	Description	Amount of quotas (tonnes)	Quota duty (%)
09.0733	0305 42 00 0305 49 10 0305 49 20 0305 49 30 0305 49 40 0305 49 50 0305 49 90	smoked herring smoked Lesser or Greenland halibut smoked Atlantic halibut smoked mackerel smoked trout smoked eel other smoked fish	140 (2)	0
09.0734	0305 69 90	other fish, salted but not dried or smoked and fish in brine	250 (2)	0
09.0735	0305 61 00	herrings, salted but not dried or smoked and herrings in brine	1440 (2)	0
09.0736	0306 13 10 0306 19 30	frozen Pandalidae shrimps frozen Norway lobsters	950 (2)	0
09.0737	ex 0306 23 10	Pandalidae shrimps, not frozen	800 (2)	0
09.0738	ex 0306 23 10 (a) 0306 29 30	Pandalidae shrimps, not frozen, for processing (a) Norway lobsters, not frozen	900 (2)	0

(1) See Taric codes in Annex II.

(2) Volumes applicable from 1 July to 31 December 95 and after 1 January to 31 December of each year.

(a) Checks on compliance with this use shall be carried out in accordance with the relevant Community provisions.

Order No	CN code (1)	Description	Amount of quotas (tonnes)	Quota duty (%)
09.0739	1604 11 00	prepared or preserved salmon, whole or in pieces	170 (2)	0
09.0740	1604 12 91 1604 12 99	prepared or preserved herrings, whole or in pieces, in airtight containers; other	3 000 (2)	0
09.0741	1604 13 90	prepared or preserved sardines, sardinella and brisling or sprats, whole or in pieces	180 (2)	0
09.0742	1604 15 11 1604 15 19	prepared or preserved mackerel, whole or in pieces	130 (2)	0
09.0743	1604 19 92 1604 19 93 1604 19 94 1604 19 95 1604 19 98 1604 20 90	prepared or preserved cod, whole or in pieces prepared or preserved coalfish prepared or preserved hake prepared or conserved Alaska pollack and pollack other fish, prepared or preserved prepared or preserved meat of other fish	5 500 (2)	0
09.0744	1604 20 10	prepared or preserved salmon meat	300 (2)	0
09.0745	ex1605 20 10 ex1605 20 91 ex1605 20 99	peeled and frozen shrimps and prawns	5 500 (2)	0
09.0746	ex1605 20 10 ex1605 20 91 ex1605 20 99	shrimps and prawns other than frozen and peeled	1 000 (2)	0

(1) See Taric codes in Annex II.

(2) Volumes applicable from 1 July to 31 December 95 and after 1 January to 31 December of each year.

Order No	CN code (1)	Description	Amount of quotas (tonnes)	Quota duty (%)
09.0747	2301 20 00	flours, meals and pellets, of fish or of crustaceans, molluscs or other aquatic invertebrates	28 000 (2)	0
09.0748	1605 10 00	prepared or preserved crab	50 (2)	0
09.0751	ex 0704 10 10	Cauliflowers, fresh or chilled, from 1 August to 31 October	2000	0
09.0753	ex 0704 90 90	Broccoli, fresh or chilled, from 1 July to 31 October	1000	0
09.0755	ex 0704 90 90	China cabbages, fresh or chilled, from 1 July to 28 February	3000	0
09.0757	0809 20 51 0809 20 59 0809 20 61 0809 20 69 ex 0809 20 71 ex 0809 20 79	Cherries, fresh, from 16 July to 31 August	600	0 (3)
09.0759	ex 0809 40 30 ex 0809 40 40 ex 0809 40 90	Plums and sloes, fresh, from 1 September to 15 October	600	0 (3)
09.0761	ex 0810 10 10	Strawberries, fresh, from 15 July to 31 July	750	0
09.0762	ex 0810 10 90	Strawberries, fresh, from 1 August to 15 September	750	0
09.0775	1504 10 10	Fish-liver oils and their fractions, of a vitamin A content not exceeding 2500 IU/g	103	0
09.0776	1504 20 10	Solid fractions fats and oils and their fractions, of fish, other than liver oils	384	0
09.0777	1516 10 90	Animal fats and oils and their fractions	5141	0

(1) See Taric codes in Annex II.

(2) Volumes applicable from 1 July to 31 December 95 and after 1 January to 31 December of each year.

(3) The specific additional duty shall be applied

ANNEXE II

Taric Codes

Order numbers	CN Codes	TARIC Codes
09.0701	ex 1504 20 10 ex 1504 30 19 ex 1516 10 90	1504 20 10*90 1504 30 19*90 1516 10 90*11
09.0703	ex 0305 51 90 ex 1604 13 90	0305 51 90*10 *20 1604 13 90*91 *99
09.0711	ex 1604 19 93 ex 1604 20 90	1604 19 93*90 1604 20 90*30 *40 *90
09.0717	ex 03032200	03032200*21 23 25 29
09.0722	ex 03049097	03049097*31 39 50 60 70 80 90
09.0731	ex 03052000	03052000*11 19 93 98
09.0737	ex 03062310	03062310*20 95
09.0738	ex 03062310	03062310*11 91

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Order	CN Codes	TARIC Codes
09.0745	ex 16052010 ex 16052091 ex 16052099	16052010*20 91 16052091*20 91 16052099*20 91
09.0746	ex 16052010 ex 16052091 ex 16052099	16052010*30 96 99 16052091*30 96 99 16052099*30 96 99
09.0751	ex 0704 10 10	0704 10 10*30
09.0753	ex 0704 90 90	0704 90 90*13
09.0755	ex 0704 90 90	0704 90 90*92 *94 *97
09.0757	ex 0809 20 71 ex 0809 20 79	0809 20 71*10 0809 20 79*11 0809 20 79*19
09.0759	ex 0809 40 30 ex 0809 40 40 ex 0809 40 90	0809 40 30*51 *52 *53 *54 *55 *56 0809 40 40*20 0809 40 90*50
09.0761	ex 0809 10 10	0810 10 10*60 *80
09.0762	ex 0810 10 90	0810 10 90*12 *14
09.0777	ex 1516 10 90	1516 10 90*11 *19

ANNEX III

Products originating in Iceland

Oder Number	CN Codes	Description	Amount of quotas (pieces)	Quota duty (%)
09.0791	0101 19 10 0101 19 90	Live horses	100	relief from customs duty

FINANCIAL STATEMENT

1. Budget heading involved: Chap. 12, Art. 120
2. Legal basis: Article 113
3. Title: Proposal for a Council Regulation (EC) amending Council Regulation (EC) No 992/95 opening and providing for the administration of Community tariff quotas for certain agricultural and fishery products originating in Norway and opening and providing for the administration of Community tariff quotas for live horses originating in Iceland
4. Objective: To honour the undertakings given by the Community
5. Loss of revenue: ECU 3 213 670

Description	Quantity (t)	Average price (ECU)	Normal average rate of duty (%)	Duty applicable to quota (%)	Loss of revenue (ECU)
Fresh or chilled fish	9 080	2 703	11.2	0	274 880
Frozen fish	2 610	2 561	11.3	0	75 531
Fish fillets and other fish meat	10 530	2 492	11.5	0	301 760
Fish, dried, salted or in brine	4 180	7 739	13	0	420 537
Crustaceans	2 650	3 582	15	0	143 884
Prepared or preserved fish	9 280	3 400	17.56	0	554 053
Prepared or preserved crustaceans	6 550	5 868	17.2	0	672 619
Fish flours and meals	28 000	425	2	0	238 000
Fish-liver oils	103	988	5,6	0	5 698
Other fats and oils of fish	5 525	527	16	0	465 868
Live horses	100 heads	3 600 Ecu/head	16,9	0	60 840

ECU 3 213 670

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