COUNCIL REGULATION (EC) No 1408/2002

of 29 July 2002

establishing 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 Hungary

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

(2) The first improvements to the preferential arrangements of the Europe Agreement with Hungary were provided for in the Protocol adapting 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 Hungary, of the other part, to take into account the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union and the results of the Uruguay Round negotiations on agriculture, including the improvements to the existing preferential regime, approved by Decision 1999/67/EC [2].

(3) Improvements to the preferential arrangements of the Europe Agreement with Hungary were also provided for as a result of a first round of negotiations to liberalise the agricultural trade. The improvements entered into force as from 1 July 2000 in the form of Council Regulation (EC) No 1727/2000 of 31 July 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 Hungary [3]. The second adjustment of the relevant provisions in the Europe Agreement, which will take the form of another Additional Protocol to the Europe Agreement, has not yet entered into force.

(4) A new Additional Protocol to the Europe Agreement on trade liberalisation for agricultural products has been negotiated.

(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 Hungary. 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 Hungary.

(6) Regulation (EC) No 1727/2000 should therefore be repealed.

(7) 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 [4] has codified the management rules for tariff quotas designed to be used following the chronological order of dates of customs declarations. Tariff quotas under this Regulation should therefore be administered in accordance with those rules.

(8) The measures necessary for the implementation of this Regulation should be adopted 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 [5],

HAS ADOPTED THIS REGULATION:

Article 1

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

2. On the entry into force of the Additional Protocol adjusting the Europe Agreement to take into account the outcome of the negotiations between the parties on new mutual agricultural concessions, the concessions provided for in that Protocol shall replace those referred to in Annex A(a) and Annex A(b) to this Regulation.

3. The Commission shall adopt detailed rules for the application of this Regulation in accordance with the procedure referred to 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 347, 31.12.1993, p. 2.
[2] OJ L 28, 2.2.1999, p. 1.
[3] OJ L 198, 4.8.2000, p. 6.
[4] OJ L 253, 11.10.1993, p. 1. Regulation as last amended by Regulation (EC) No 444/2002 (OJ L 68, 12.3.2002, p. 11).
[5] OJ L 184, 17.7.1999, p. 23.

2. Quantities of goods subject to tariff quotas and released for free circulation as from 1 July 2002 under the concessions provided for in Annex A(b) to Regulation (EC) No 1727/2000 shall be fully counted against the quantities provided for in Annex A(b) to this Regulation, except for quantities for which import licences have been issued before 1 July 2002.

Article 3

1. The Commission shall be assisted by the Management Committee for Cereals instituted by Article 23 of Council Regulation (EEC) No 1766/92 [1] or, where appropriate, by the committee instituted by the relevant provisions of the other Regulations on the common organisation of agricultural markets.

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

The period provided for in Article 4(3) of Decision 1999/468/EC shall be one month.

3. The committee shall adopt its rules of procedure.

Article 4

Regulation (EC) No 1727/2000 is repealed from the entry into force of this Regulation.

Article 5

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

It shall apply from 1 July 2002 except for new concessions, which involve the opening of new tariff quotas. For these new concessions covered by order numbers 09.4774, 09.4776, 09.4777, 09.4778, 09.4780, 09.5862 and 09.5864 it is applicable from the date of entry into force of the detailed rules provided for in Article 1(3) of this Regulation.

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

Done at Brussels, 29 July 2002.

For the Council

The President

P. S. MØLLER

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

ANNEX A(a)

Custom duties on imports applicable in the Community to products originating in Hungary and listed below shall be abolished

CN code (1)	CN code (1)	CN code (1)	CN code (1)
0101 10 90	0707 00 90	0809 40 90	1209 99 99
0101 90 19	0708 10 00	0810 10 00	1210 10 00
0101 90 30	0708 90 00	0810 40 30	1210 20 10
0101 90 90	0709 20 00	0810 40 50	1210 20 90
0105 11 11	0709 30 00	0810 40 90	1211 90 30
0105 11 19	0709 40 00	0810 50 00	1212 10 10
0105 11 91	0709 51 00	0810 60 00	1212 10 99
0105 11 99	0709 52 00	0810 90 95	1214 90 10
0105 12 00	0709 59	0811 10 19	1302 12 00
0105 19 20	0709 60 10	0811 20 59	1302 13 00
0105 19 90	0709 70 00	0811 20 90	1302 19 05
0106 19 10	0709 90 10	0811 90 31	1501 00 90
0106 39 10	0709 90 20	0811 90 39	1502 00 90
0205 00	0709 90 31	0811 90 50	1503 00 19
0206 80 91	0709 90 40	0811 90 70	1503 00 90
0206 90 91	0709 90 50	0811 90 75	1504 10 10
0207 13 91	0709 90 90	0811 90 80	1504 10 99
0207 14 91	0710 10 00	0811 90 85	1504 20 10
0207 26 91	0710 22 00	0811 90 95	1504 30 10
0207 27 91	0710 29 00	0812 10 00	1508 10 90
0207 35 91	0710 30 00	0812 90 10	1508 90
0207 36 89	0710 80 51	0812 90 20	1511 10 90
0208 10 11	0710 80 59	0812 90 40	1511 90
0208 10 19	0710 80 61	0812 90 50	1512 11 99
0208 20 00	0710 80 69	0812 90 60	1512 19 99
0208 30 00	0710 80 70	0812 90 70	1512 21
0208 40	0710 80 80	0813 10 00	1512 29
0208 50 00	0710 80 85	0813 20 00	1513 11 10
0208 90 10	0711 30 00	0813 30 00	1513 11 91
0208 90 55	0711 40 00	0813 40 10	1513 11 99
0208 90 60	0711 90 10	0813 40 30	1513 19
0208 90 95	0711 90 50	0813 40 95	1513 21
0210 91 00	0711 90 80	0813 50	1513 29
0210 92 00	0712 20 00	0814 00 00	1515
0210 93 00	0712 31 00	0901 12 00	1516 10
0210 99 10	0712 32 00	0901 90 90	1516 20 91
0210 99 79	0712 33 00	0904 12 00	1516 20 95
0407 00 11	0712 39 00	0904 20 90	1516 20 96
0407 00 19	0712 90 05	0905 00 00	1516 20 98
0409 00 00	0712 90 30	0907 00 00	1518 00 31
0410 00 00	0712 90 50	0910 20 90	1518 00 95
0601	0712 90 90	0910 40 13	1522 00 91
0602	0713 50 00	0910 40 19	1601 00 10
0603	0713 90	0910 40 90	1602 20 11
0604 10 90	0714 20	1006 10 10	1602 20 19
0604 91 21	0714 90 90	1007 00 10	1602 31 11
0604 91 29	0802 11 90	1106 10 00	1602 31 19
0604 91 41	0802 12 90	1106 30	1602 31 30
0604 91 49	0802 21 00	1107 10	1602 31 90
0604 91 90	0802 22 00	1107 20 00	1602 32 19
0604 99 90	0802 31 00	1108 20 00	1602 41 90
0701 10 00	0802 32 00	1208 10 00	1602 42 90
0703 10 90	0802 40 00	1209 10 00	1602 49 90
0703 20 00	0802 50 00	1209 21 00	1602 90 10
0703 90 00	0802 90 50	1209 23 80	1602 90 31
0704 20 00	0802 90 60	1209 29 50	1602 90 41
0704 90 90	0802 90 85	1209 29 60	1602 90 69
0705 19 00	0805 10 80	1209 29 80	1602 90 72
0705 21 00	0805 50 90	1209 30 00	1602 90 74
0705 29 00	0806 20	1209 91	1602 90 76
0706 90	0808 20 90	1209 99 91	

CN code (1)	CN code (1)	CN code (1)	CN code (1)
1602 90 78	2008 30 11	2008 92 38	2009 79 93
1602 90 98	2008 30 31	2008 92 51	2009 79 99
1603 00 10	2008 30 39	2008 92 59	2009 80 19
2001 10 00	2008 30 51	2008 92 72	2009 80 36
2001 90 50	2008 30 55	2008 92 74	2009 80 38
2001 90 60	2008 30 59	2008 92 76	2009 80 50
2001 90 65	2008 30 71	2008 92 78	2009 80 63
2001 90 70	2008 30 75	2008 92 92	2009 80 69
2001 90 75	2008 30 79	2008 92 93	2009 80 71
2001 90 85	2008 30 90	2008 92 94	2009 80 73
2001 90 91	2008 50 11	2008 92 96	2009 80 79
2001 90 93	2008 50 31	2008 92 97	2009 80 88
2001 90 96	2008 50 39	2008 92 98	2009 80 89
2003 20 00	2008 50 59	2008 99 11	2009 80 95
2003 90 00	2008 50 61	2008 99 19	2009 80 96
2004 90 30	2008 50 69	2008 99 23	2009 80 97
2004 90 50	2008 50 71	2008 99 25	2009 80 99
2004 90 91	2008 50 79	2008 99 26	2009 90 19
2005 51 00	2008 50 92	2008 99 28	2009 90 29
2005 59 00	2008 50 94	2008 99 36	2009 90 39
2005 60 00	2008 50 99	2008 99 37	2009 90 41
2005 70 10	2008 60 11	2008 99 38	2009 90 49
2005 90 50	2008 60 31	2008 99 40	2009 90 51
2005 90 60	2008 60 39	2008 99 43	2009 90 59
2005 90 70	2008 60 51	2008 99 45	2009 90 73
2005 90 80	2008 60 59	2008 99 46	2009 90 79
2006 00 91	2008 60 61	2008 99 47	2009 90 95
2006 00 99	2008 60 69	2008 99 49	2009 90 96
2007 99 10	2008 60 71	2008 99 53	2009 90 97
2007 99 91	2008 60 79	2008 99 55	2009 90 98
2007 99 93	2008 60 91	2008 99 61	
2008 11 92	2008 60 99	2008 99 62	2302 50 00
2008 11 94	2008 80 11	2008 99 68	2306 90 19
2008 11 96	2008 80 31	2008 99 72	2308 00 90
2008 11 98	2008 80 39	2008 99 78	2309 10 51
2008 19	2008 80 50	2008 99 99	2309 10 90
2008 20 19	2008 80 70	2009 31 11	2309 90 10
2008 20 39	2008 80 91	2009 39 31	2309 90 31
2008 20 51	2008 80 99	2009 41 10	2309 90 41
2008 20 59	2008 92 12	2009 49 30	2309 90 51
2008 20 71	2008 92 14	2009 50	2309 90 91
2008 20 79	2008 92 32	2009 71	2309 90 93
2008 20 91	2008 92 34	2009 79 19	2309 90 95
2008 20 99	2008 92 36	2009 79 30	2309 90 97

(1) As defined in Commission Regulation (EC) No 2031/2001 of 6 August 2001 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 279, 23.10.2001, p. 1).

ANNEX A(b)

Imports into the Community of the following products originating in Hungary 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 1.7.2002 to 30.6.2003 (tonnes)	Yearly increase as from 1.7.2003 (tonnes)	Specific provisions
09.4598	0102 90 05	Live bovine animals of a live weight not exceeding 80 kg	10	178 000 heads	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	10	153 000 heads	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 % *ad valorem*	7 000 heads	0	(4)
	0104 10 30 0104 10 80 0104 20 10 0104 20 90	Live sheep or goats	free	unlimited		(5)
	0204	Meat of sheep or goats, fresh, chilled or frozen				
	0210 99 21	Edible meat of sheep and goats, with bone-in				
	0210 99 29	Edible meat of sheep and goats, boneless				
	0210 99 60	Edible meat offal of sheep and goats				
09.4707	0201 0202	Meat of bovine animals, fresh, chilled or frozen	free	13 655	1 365	(5)
09.4708	ex 0203	Meat of domestic swine, fresh, chilled or frozen	free	48 000	4 000	(5) (6)
09.4774	0206 10 95	Edible offal of bovine animals, fresh or chilled, thick skirt and thin skirt	free	1 000	100	(5)
	0206 29 91	Edible offal of bovine animals, frozen, other, thick skirt and thin skirt				
	0210 20 10 0210 20 90	Meat of bovine animals, salted, in brine, dried or smoked				
	0210 99 51	Thick skirt and thin skirt of bovine animals				
	0210 99 59	Other offal of bovine animals				
	0210 99 90	Edible flours and meals of meat or meat offal				