



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 11.7.2007
COM(2007)406 final

2007/0139(ACC)

Proposal for a

COUNCIL REGULATION

**opening autonomous and transitional Community tariff quotas
for the import of certain agricultural products originating in Switzerland**

(presented by the Commission)

EXPLANATORY MEMORANDUM

The Agreement between the European Community and the Swiss Confederation on trade in agricultural products¹ applies directly to the enlarged European Union. However, trade flows in accordance with the preferences granted under the pre-existing bilateral arrangements between Switzerland and respectively Bulgaria and Romania should be maintained. The bilateral trade concessions laid down in Annexes 1 and 2 of this Agreement therefore need to be adapted. Pending completion of bilateral procedures for amending the Agreement, there is the need for autonomous and transitory measures, in order to ensure that quota benefit be available.

The agreed minutes initialled by the representatives of the European Community and Switzerland on 2 May 2007 foresee in particular Community concessions of strawberries, chards and cardoons that require quota management procedures to be adopted in accordance with the provisions laid down in Articles 308a, 308b and 308c of 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 Code².

It is therefore proposed that the Council adopt without delay the attached autonomous and transitional measures to open new Community tariff quotas for the import of strawberries, chards and cardoons originating in Switzerland.

¹ OJ L 114, 30.4.2002, p. 132, as last amended by Decision No 3/2005 of the Joint Committee on Agriculture (OJ L 346, 29.12.2005, p. 33).

² OJ L 253, 11.10.1993, p. 1. Regulation last amended by Regulation (EC) No 214/2007 (OJ L 62, 1.3.2007, p. 6).

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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 Commission³,

Whereas:

- (1) Following the accession of Bulgaria and Romania to the European Union, the agricultural trade flows in accordance with the preferences granted previously under the bilateral arrangements between the two Member States and Switzerland should be maintained. The Community and Switzerland have agreed to proceed with the adaptation of tariff concessions within the framework of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products⁴ hereinafter the Agreement, which entered into force on 1 June 2002. The adaptation of these concessions will include the opening of new Community tariff quotas for the import of strawberries (CN code 0810 10 00), chard (or white beet) and cardoons (CN code 0709 90 20) originating in Switzerland.
- (2) The bilateral procedures for adapting the concessions in Annexes 1 and 2 to the Agreement will take time. To ensure that quota benefit is available until the entry into force of that adaptation, it is appropriate to open these tariff quotas on an autonomous and transitional basis. In order to ensure sufficient time for the parties to finalise bilateral procedures and implementing measures, it is proposed to open these tariff quotas until 31 December 2009.
- (3) 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 Code⁵ provides for a system for managing tariff quotas. The tariff quotas opened by this Regulation should be managed by the Community authorities and the Member States in accordance with that system.
- (4) The rules of product origin provided for in Article 4 of the Agreement should apply,

³ OJ ... C ..., p.

⁴ OJ L 114, 30.4.2002, p. 132, as last amended by Decision No 3/2005 of the Joint Committee on Agriculture (OJ L 346, 29.12.2005, p. 33).

⁵ OJ L 253, 11.10.1993, p. 1. Regulation last amended by Regulation (EC) No 214/2007 (OJ L 62, 1.3.2007, p. 6).

HAS ADOPTED THIS REGULATION:

Article 1

1. A duty-free Community tariff quota for products of CN code 0810 10 00 originating in Switzerland is hereby opened annually, on an autonomous and transitional basis, for the period from 1 January to 31 December.
The order number of the quota shall be 09.0948. The annual volume shall be 200 tons net weight.
2. A duty-free Community tariff quota for products of CN code 0709 90 20 originating in Switzerland is hereby opened annually, on an autonomous and transitional basis, for the period from 1 January to 31 December.
The order number of the quota shall be 09.0950. The annual volume shall be 300 tons net weight.
3. In 2007, the tariff quotas provided for in paragraphs 1 and 2 shall be opened for the period from the day of entry into force of this Regulation to 31 December, for the full annual volumes provided for in paragraphs 1 and 2.
4. The tariff quotas provided for in paragraphs 1 and 2 shall expire on 31 December 2009.
5. The rules of origin provided for in Article 4 of the Agreement between the European Community and the Swiss Confederation on trade in agricultural products shall apply to the products referred to in paragraphs 1 and 2 of this Article.

Article 2

The tariff quotas provided for in Article 1 shall be managed by the Commission in accordance with Articles 308a, 308b and 308c of Regulation (EEC) No 2454/93.

Article 3

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

It shall apply as from 1 September 2007.

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

Done at Brussels,

*For the Council
The President*

**LEGISLATIVE FINANCIAL STATEMENT FOR PROPOSALS HAVING A
BUDGETARY IMPACT EXCLUSIVELY LIMITED TO THE REVENUE SIDE**

1. NAME OF THE PROPOSAL

Proposal for a Council Regulation opening autonomous and transitional Community tariff quotas for the import of certain agricultural products originating in Switzerland

2. BUDGET LINES

Chapter 10 – Article 100: Agricultural duties
Amount budgeted for the year 2007: EUR 1 486,7 million

3. FINANCIAL IMPACT

- Proposal has no financial implications
- Proposal has no financial impact on expenditure but has a financial impact on revenue – the effect is as follows:

(€ million)

Budget line	Revenue ⁶	Year 2007
Article 100	<i>Impact on own resources</i>	-0,004
Article ...	<i>Impact on own resources</i>	

Situation following action				
	2008	2009	2010	2011
Article 100	-0,004	-0,004		
Article ...				

4. ANTI-FRAUD MEASURES

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5. OTHER REMARKS

The current level of imports for these two products, coming from Switzerland, is low and consequently the financial impact of the measure is not significant.

⁶ Regarding traditional own resources (agricultural duties, sugar levies, customs duties) the amounts indicated must be net amounts, i.e. gross amounts after deduction of 25% of collection costs.