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PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	12 June 2019
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2019) 267 final - annex
Subject:	Annex to the proposal for a COUNCIL DECISION on the conclusion of the Agreement in the form of an exchange of letters between the European Union and Ukraine amending the trade preferences for poultry meat and poultry meat preparations provided for by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part

Delegations will find attached document COM(2019) 267 final - annex.

Encl.: COM(2019) 267 final - annex



EUROPEAN
COMMISSION

Brussels, 12.6.2019
COM(2019) 267 final

ANNEX

ANNEX

to the

Proposal for a Council Decision

on the conclusion of the Agreement in the form of an exchange of letters between the European Union and Ukraine amending the trade preferences for poultry meat and poultry meat preparations provided for by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part

Agreement in the form of an exchange of letters between the European Union and Ukraine amending the trade preferences for poultry meat and poultry meat preparations provided for by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part

A. Letter from the European Union

Sir/Madam,

I have the honour to refer to the negotiations between the European Union and Ukraine (“the Parties”) regarding trade preferences for certain poultry meat and poultry meat preparations, concluded on 19 March 2019.

These negotiations resulted in the following agreement:

- (1) In point A of the Appendix to Annex I-A to Chapter 1 of Title IV of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part (‘the Agreement’), the entry for ‘Poultry meat and poultry meat preparations’ shall be replaced by the following:

Poultry meat and poultry meat preparations	0207 11 (30-90)	50 000 tons/year expressed in net weight + 18 400 tons/year expressed in net weight with an incremental increase of 800 tons/year expressed in net weight in year 2020 and in year 2021 + 20 000 tons/year expressed in net weight (only for CN code 0207 12 (10-90))
	0207 12 (10-90)	
	0207 13 (10-20-30-50-60-70-99)*	
	0207 14 (10-20-30-50-60-70-99)*	
	0207 24 (10-90)	
	0207 25 (10-90)	
	0207 26 (10-20-30-50-60-70-80-99)	
	0207 27 (10-20-30-50-60-70-80-99)	
	0207 32 (15-19-51-59-90)	
	0207 33 (11-19-59-90)	
	0207 35 (11-15-21-23-25-31-41-51-53-61-63-71-79-99)	
	0207 36 (11-15-21-23-31-41-51-53-61-63-79-90)	
	0210 99 (39)	
	1602 31 (11-19-30-90)	

	1602 32 (11-19-30-90)	
	1602 39 (21)	

* For the sake of clarity, tariff lines 0207 13 70 and 0207 14 70 set out in the Tariff schedules of EU in Annex I-A to Chapter 1 of Title IV of the Agreement shall be subject to the TRQ set out in the third column “Quantity”.

- (2) In the Tariff schedules of EU in Annex I-A to Chapter 1 of Title IV of the Agreement the text in the fourth column ‘Staging category’ shall be replaced by ‘50 000 tons/year expressed in net weight + 18 400 tons/year expressed in net weight with an incremental increase of 800 tons/year expressed in net weight in year 2020 and in year 2021’ for the following CN 2008 tariff lines:

0207 11 (30-90)

0207 13 (10-20-30-50-60-70-99)

0207 14 (10-20-30-50-60-70-99)

0207 24 (10-90)

0207 25 (10-90)

0207 26 (10-20-30-50-60-70-80-99)

0207 27 (10-20-30-50-60-70-80-99)

0207 32 (15-19-51-59-90)

0207 33 (11-19-59-90)

0207 35 (11-15-21-23-25-31-41-51-53-61-63-71-79-99)

0207 36 (11-15-21-23-31-41-51-53-61-63-79-90)

0210 99 (39)

1602 31 (11-19-30-90)

1602 32 (11-19-30-90)

1602 39 (21)

- (3) In the Tariff schedules of EU in Annex I-A to Chapter 1 of Title IV of the Agreement, for the CN 2008 tariff line 0207 12 (10-90), the text in the fourth column ‘Staging category’ shall be replaced by ‘50 000 tons/year expressed in net weight + 18 400 tons/year expressed in net weight with an incremental increase of 800 tons/year expressed in net weight in year 2020 and in year 2021 + 20 000 tons/year expressed in net weight’

- (4) For the remaining part of the calendar year in which this agreement enters into force, the additional quantity of 50 000 tons to be added to the existing poultry meat and

poultry meat preparations quota set out in the Agreement, shall be calculated on a pro rata basis.

- (5) The Most Favoured Nation duty of 100,8 EUR/100 kg net established for tariff lines 0207 13 70 and 0207 14 70 in the Tariff schedules of EU in Annex I-A to Chapter 1 of Title IV of the Agreement shall apply for imports in excess of the aggregate TRQ for poultry meat and poultry meat preparations referred to in point (1).

This agreement shall enter into force on the first day of the month following the date of the last notification to the Depositary of the instrument of approval or ratification, exchanged between the Parties.

This agreement shall be applied provisionally from the first day of the month following the date of receipt by the Depositary of:

- the Union's notification on the completion of the procedures necessary for this purpose; and
- Ukraine's notification of the completion of ratification in accordance with its procedures and applicable legislation,

whichever is later.

I would be grateful if you could confirm the agreement of Ukraine with the above.

Please accept, Sir, the assurance of my highest consideration.

Done at Brussels,

For the European Union,

B. Letter from Ukraine

Sir/Madam,

I have the honour to acknowledge receipt of your letter of [*insert the date of the letter*], which reads as follows:

“I have the honour to refer to the negotiations between the European Union and Ukraine (“the Parties”) regarding trade preferences for certain poultry meat and poultry meat preparations, concluded on 19 March 2019.

These negotiations resulted in the following agreement:

- (1) In point A of the Appendix to Annex I-A to Chapter 1 of Title IV of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part (‘the Agreement’), the entry for ‘Poultry meat and poultry meat preparations’ shall be replaced by the following:

Poultry meat and poultry meat preparations	0207 11 (30-90) 0207 12 (10-90) 0207 13 (10-20-30-50-60-70-99)* 0207 14 (10-20-30-50-60-70-99)* 0207 24 (10-90) 0207 25 (10-90) 0207 26 (10-20-30-50-60-70-80-99) 0207 27 (10-20-30-50-60-70-80-99) 0207 32 (15-19-51-59-90) 0207 33 (11-19-59-90) 0207 35 (11-15-21-23-25-31-41-51-53-61-63-71-79-99) 0207 36 (11-15-21-23-31-41-51-53-61-63-79-90) 0210 99 (39) 1602 31 (11-19-30-90) 1602 32 (11-19-30-90) 1602 39 (21)	50 000 tons/year expressed in net weight + 18 400 tons/year expressed in net weight with an incremental increase of 800 tons/year expressed in net weight in year 2020 and in year 2021 + 20 000 tons/year expressed in net weight (only for CN code 0207 12 (10-90))
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* For the sake of clarity, tariff lines 0207 13 70 and 0207 14 70 set out in the Tariff schedules of EU in Annex I-A to Chapter 1 of Title IV of the Agreement shall be subject to the TRQ set out in the third column “Quantity”.

- (2) In the Tariff schedules of EU in Annex I-A to Chapter 1 of Title IV of the Agreement the text in the fourth column ‘Staging category’ shall be replaced by ‘50 000 tons/year expressed in net weight + 18 400 tons/year expressed in net weight with an incremental increase of 800 tons/year expressed in net weight in year 2020 and in year 2021’ for the following CN 2008 tariff lines:

0207 11 (30-90)

0207 13 (10-20-30-50-60-70-99)

0207 14 (10-20-30-50-60-70-99)

0207 24 (10-90)

0207 25 (10-90)

0207 26 (10-20-30-50-60-70-80-99)

0207 27 (10-20-30-50-60-70-80-99)

0207 32 (15-19-51-59-90)

0207 33 (11-19-59-90)

0207 35 (11-15-21-23-25-31-41-51-53-61-63-71-79-99)

0207 36 (11-15-21-23-31-41-51-53-61-63-79-90)

0210 99 (39)

1602 31 (11-19-30-90)

1602 32 (11-19-30-90)

1602 39 (21)

- (3) In the Tariff schedules of EU in Annex I-A to Chapter 1 of Title IV of the Agreement, for the CN 2008 tariff line 0207 12 (10-90), the text in the fourth column ‘Staging category’ shall be replaced by ‘50 000 tons/year expressed in net weight + 18 400 tons/year expressed in net weight with an incremental increase of 800 tons/year expressed in net weight in year 2020 and in year 2021 + 20 000 tons/year expressed in net weight’.
- (4) For the remaining part of the calendar year in which this agreement enters into force, the additional quantity of 50 000 tons to be added to the existing poultry meat and poultry meat preparations quota set out in the Agreement, shall be calculated on a pro rata basis.

- (5) The Most Favoured Nation duty of 100,8 EUR/100 kg net established for tariff lines 0207 13 70 and 0207 14 70 in the Tariff schedules of EU in Annex I-A to Chapter 1 of Title IV of the Agreement shall apply for imports in excess of the aggregate TRQ for poultry meat and poultry meat preparations referred to in point (1).

This agreement shall enter into force on the first day of the month following the date of the last notification to the Depositary of the instrument of approval or ratification, exchanged between the Parties.

This agreement shall be applied provisionally from the first day of the month following the date of receipt by the Depositary of:

- the Union's notification on the completion of the procedures necessary for this purpose; and
- Ukraine's notification of the completion of ratification in accordance with its procedures and applicable legislation,

whichever is later.”

I have the honour to confirm that Ukraine is in agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

Done at Kyiv,

For Ukraine,